MINUTE ITEM

7/78
Atkins

19. GENERAL PERMIT - PUBLIC AGENCY USE - W 21734

During consideration of Calendar Item 20, Mr. D. J. Everitts, Chief, Extractive Development, State Leases, brought up a related problem. He stated the Los Angeles Department of Water and Power has been letting water into Owens Lake, the result of which is gradually flooding out the Commission's mineral lessee, Morrison and Weatherly. A half-way attempt by L. A. Water and Power has been made to divert the water from the lake, but they have not cooperated in a satisfactory manner.

Chairman Kenneth Cory was unaware of the above problem, but indicated he was concerned because of the alleged animosity of the people living in the Owens Valley over a water right's dispute.

Mr. James F. Trout, Chief, Land Management and Conservation, indicated that staff was not aware of this problem, and that it might be in the best interest of the public to defer this matter until the next Commission meeting when the staff can investigate further and report back with its findings.

Without objection, Calendar Item 20 was deferred.

A 34

S 16

CALENDAR ITEM

19.

7/78
W 21734
Atkins

GENERAL PERMIT
PUBLIC AGENCY USE

APPLICANT: City of Los Angeles
Department of Water and Power
P. O. Box "C"
Independence, California 93526

AREA, TYPE LAND AND LOCATION:
Two parcels of land in the Owens River, Inyo County.

LAND USE: Flumes for measuring water flow.

TERMS OF PROPOSED PERMIT:
Initial period: 49 years from June 1, 1978.

CONSIDERATION: The public benefit, with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

PREREQUISITE TERMS, FEES AND EXPENSES:
Processing costs have been received.

STATUTORY AND OTHER REFERENCES:
A. Public Resources Code: Div. 6, Parts 1 & 2.

B. Administrative Code: Title 2, Div. 3, Arts. 1, 2, 10 & 11.

OTHER PERTINENT INFORMATION:
1. The annual rental value of the site is estimated to be $100.

2. A Negative Declaration was prepared by the City of Los Angeles, pursuant to CEQA and implementing regulations. A Notice of Determination has been received. The Negative Declaration contained wording which indicated that the City of Los Angeles owned the land, upon which the project would be located. The city has acknowledged that the State has ownership of the bed of the Owens River.

3. This project is situated on State land identified as possessing significant environmental values pursuant to Public

Resources Code 6370.1, and is classified in a use category, Class A which authorizes Restricted Use.

Staff review indicates that there will be no significant effect upon the identified environmental values. This project covers an existing as well as a proposed facility for which no adverse comments have been received.

4. There are 2 flumes being authorized by this permit, one existing and one proposed. No environmental report is required for the existing flume, per 2 Cal. Adm. Code 2907, Class 1B, as it is in an acceptable state of repair, and we have received no evidence of environmental degradation. The proposed flume is covered by a Negative Declaration prepared by the City of Los Angeles.

APPROVALS OBTAINED: United States Army Corps of Engineers, Lahontan Regional Water Quality Control Board, California Department of Fish and Game.

EXHIBITS: A. Land Description. B-1. Location Map. B-2. Location Map. C. Negative Declaration and Initial Study.

IT IS RECOMMENDED:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THE PROPOSED FLUME BUT THAT A NEGATIVE DECLARATION HAS BEEN PREPARED BY THE CITY OF LOS ANGELES ON MAY 10, 1978.

2. CERTIFY THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE NEGATIVE DECLARATION.

3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

4. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 OF THE PUBLIC RESOURCES CODE.

5. AUTHORIZE ISSUANCE TO THE CITY OF LOS ANGELES OF A 49-YEAR GENERAL PERMIT - PUBLIC AGENCY USE FROM JUNE 1,

1978; IN CONSIDERATION OF THE PUBLIC USE, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; FOR THE PLACEMENT, OPERATION AND MAINTENANCE OF FLUMES FOR MEASURING WATER FLOW ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

W 22734

Two (2) parcels of land within the Owens River, Inyo County, California, described as follows:

PARCEL 1

A parcel of land in the NE¼ of Section 16, T9S, R34E, MDM, located approximately 1750 feet southerly of the northerly line of said Section 16, and 625 feet westerly of the east line of said Section 16, said parcel to be used for the construction and maintenance of a 30-foot Parshall Flume.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the Owens River.

PARCEL 2

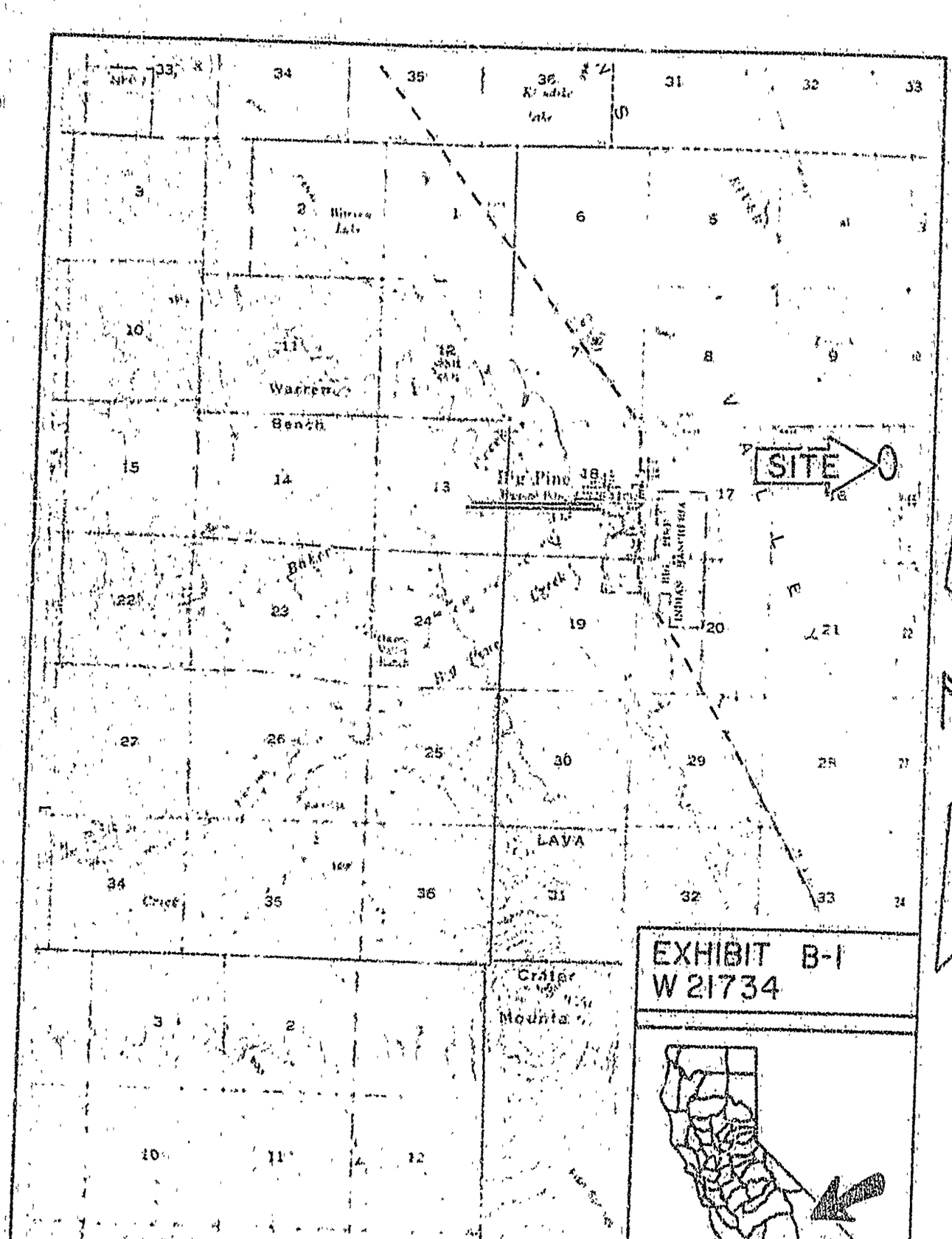
A parcel of land in the NW¼ of Section 26, T10S, R34E, MDM located approximately 2425 feet southerly of the northerly line of said Section 26, and 2600 easterly of the westerly line of said Section 26, and approximately 500 feet southerly of Tinemaha Dam, said parcel to be used for the maintenance of an existing 20-foot Parshall Flume.

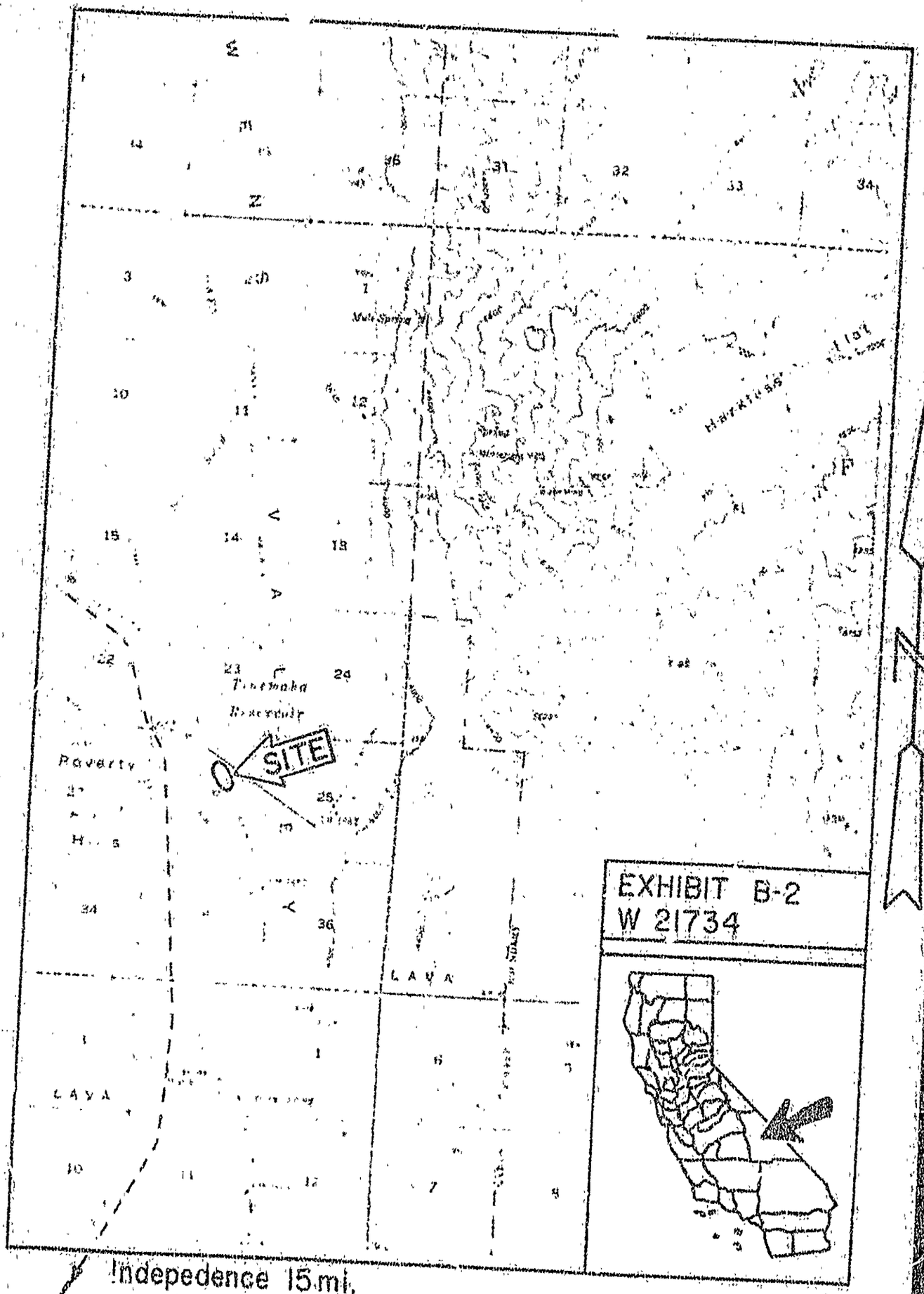
EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the Owens River.

END OF DESCRIPTION

Prepared [signature] Checked [signature]

Reviewed [signature] Date 18 May 78


SITE
Big Pine
Warren
Bench
Baker
Creek
Big
Creek
LAVA
Crater
Mountain
Indian Rancheria
EXHIBIT B-1
W 21734


SITE
Poverty
LAVA
LAVA
Independence 15 mi.
EXHIBIT B-2
W 21734

09 1234

EXHIBIT C

CITY OF LOS ANGELES
CALIFORNIA ENVIRONMENTAL QUALITY ACT

NEGATIVE DECLARATION
(Article V -- City CEQA Guidelines)

DEQ Use

Council District _____ Date May 10, 1978

Lead City Agency Department of Water and Power

Project Title/No.

Owens River - 30' Parshall Flume

Project Location one mile east of the town of Big Pine, Inyo County, on the Owens River

Project Description construct a 30' wide, reinforced concrete Parshall Flume in the Owens River above Tinemaha Reservoir

Name of Applicant if other than City Agency _____

The Department of Water and Power of the City of Los Angeles has determined that this project will not have a significant effect on the environment for the following reasons:

(See Initial Study attached)

(use additional sheet if necessary)

The Initial Study prepared for this project is attached.

Signed Paul H. Lane
PAUL H. LANE

Title Chief Engineer of Water Works and Assistant Manager

Name of Person preparing this form CHARLES H. MACAULEY

Title Office Engineer
Northern District, Aqueduct Div.

APPENDIX C

1235

DEPARTMENT OF WATER AND POWER

CITY OF LOS ANGELES

INITIAL STUDY ON OWENS RIVER

30' PARSHALL FLUME

DEPARTMENT OF WATER AND POWER

CITY OF LOS ANGELES

INITIAL STUDY ON OWENS RIVER

30' PARSHALL FLUME

TABLE OF CONTENTS

INITIAL STUDY

I. PROJECT AND ITS LOCATION:

This project "Owens River - 30' Parshall Flume", is located approximately one mile east of the town of Big Pine on the Owens River, in a relatively small bend of a large oxbow. The large oxbow is located in the northeast quarter of Section 16, Township 9 South, Range 34 East, M.D.B. & M. as shown on Exhibit "A". Exhibit "B" shows the area in greater detail. A topographic map, Exhibit "C", shows the flume site including the dikes and flume location in relation to the Owens River, and Exhibit "D" shows a cross section of the flume. Exhibits "A" and "B" show the access roads into the site area.

II. OBJECTIVES SOUGHT BY THE PROPOSED PROJECT:

The objective of this project is to install a flume in the Owens River to accurately measure the water flows into Tinemaha Reservoir. At the present time, river flows are measured at Zurich Bridge by a current metering method and are subject to inaccuracies because there is not a constant river cross section in which to do the metering. Increased accuracy is needed for operational information and to determine losses within Tinemaha Reservoir, 6 ± miles downstream from the proposed project.

III. GENERAL DESCRIPTION OF THE PROJECT:

This project involves the construction of a 30' concrete Parshall Flume and the improvement of an existing dirt road which provides access to the site. The Parshall Flume has a planned area of approximately 2,200 sq. ft. (54' long x 40' wide) excluding wingwalls which are located at each end of the flume and extend out an additional 14' on each side. The flume will have 7'-0" high sidewalls.

Approximately 3,200 cu. yds. of material will be excavated to construct the flume and upstream and downstream channels. This excavated material shall be used to build the required dikes as shown on Exhibit "C" and to build up the access roadway to the site. In addition, approximately 600 cu. yds. of fill material will be excavated from the east side of the river to construct an earthfilled dike across the Owens River needed to divert the river through the flume. Approximately 800 cu. yds. of rock and rip-rap

are needed for channel bank protection. This rock is available in large windrows to the south of Big Pine as a result of the excavation of a storm bypass channel constructed in 1969.

A small building will be required at the site to house the recording instruments. This building will be 8' long x 7' wide x 7' high.

The existing access road is approximately one mile long and will require some grading, building up of the road base, and filling and installing culverts in low areas to make it usable on a year-around basis.

IV. DESCRIPTION OF THE ENVIRONMENTAL SETTING:

The entire project, including the flume and access road, are located on lands which are owned by the City of Los Angeles and managed by the Department of Water and Power. The land is zoned Agricultural Exclusive (AE) and is leased for cattle grazing.

The major environmental feature in the project area is the Owens River. The river and the surrounding riparian land and alkali scrubland are used for cattle grazing, fish and wildlife habitats, migratory waterfowl habitat, recreational hunting and fishing, and swimming and boating activities. Recreational fishing is a highly valued use as this portion of the Owens River is open year around to trout fishing.

The Tule Elk roam the Owens Valley and are listed as a rare species. The Tinemaha Herd that numbers from 60 to 90 animals may, from time to time, use this area as a grazing and watering habitat; however, the herd generally ranges further to the south in the Tinemaha area.

A similar Parshall Flume of 20' width is located on the Owens River at the outlet of Tinemaha Reservoir. Also, another large Parshall Flume of 15' width is located on the Lee Vining Creek, approximately 3 miles up Tioga Pass Road, and a 20' Parshall Flume is located on the Owens River below the East Portal, which is approximately 5 miles east of U. S. 395 and 4 miles south of Crestview.

V. ENVIRONMENTAL IMPACT OF THE PROPOSED ACTION:

The major changes to the area will be those caused by the improved road into the flume site and the impact of reduced boating (tubing and canoeing) in the immediate area of the flume.

Improving the road will make the area more accessible to recreational uses and could cause increased pollution of the Owens River. There would, however, be additional patrolling of the area by Department of Water and Power personnel who will be required to take daily flume readings, and this will allow enforcement of an existing Department policy which does not allow overnight camping on the river. This increase in patrolling could offset the

dangers of pollution. To improve the roadway into the flume site will require the removing of some vegetation to widen the roadway, but this would be very minimal. Also, the vegetation around the flume site would be removed to allow parking for vehicles of those required to observe the flume.

Water velocities in the Owens River will be increased at the flume as water passes through the Parshall Flume, and as the water leaves the flume turbulence is created because of a hydraulic jump. Because of this turbulence at the exit of the flume, the Owens River will be less safe for boating. However, this condition will be no worse than other obstructions in the river such as the diversion dike at the intake to the Big Pine Canal.

To warn people of the danger of boating through the flume, signs would be posted upstream of the flume, warning of the danger at the flume ahead.

The construction site has been surveyed by our consultant biologist and no rare or endangered species of flora or fauna were found.

The site was inspected by Mr. Raymond Stone, a member of the Big Pine Indian Community, and he did not observe anything of historical significance (see attached letter).

An archaeological survey will be performed in the near future.

An additional significant change to the area will be that the Owens River, upstream from the flume, will have a higher water surface level for approximately two miles due to the necessary construction and elevation of the proposed flume. Although the water elevation will be higher, it will not overflow the present river banks except at a few locations where high water flows now bypass some oxbows. The higher water surface elevations will cause no adverse affect to the river or the surrounding area.

The aesthetic impact due to the project will be minimal. The flume will not be visible except from the high bluffs on the east side of the Owens River and at the site itself, but the small building which will house the water measuring devices will be higher than the surrounding area and will be visible. To minimize the effect of the building, it will be painted a color which will blend with the area.

During the construction phase, when the river is diverted from its present channel through the new flume, there will be some washing of silts and dirt downstream of the flume. To minimize this effect, all newly constructed river banks, which can be constructed prior to the diversion taking place, will be rip-rapped prior to the river waters being diverted through the flume. Also, the river flow will be reduced to a minimum at Pleasant Valley Reservoir to reduce the scouring of the new river channel when the diversion is made.

Noise levels will be increased due to the use of heavy equipment during construction. This is a rather remote site however, and the higher noise levels during construction will not cause any adverse impact because no rare or endangered animals make this their exclusive habitat.

After construction is completed, the noise level will be somewhat higher than present due to daily inspection and reading of the instrument at the flume and larger numbers of people in the area because of better access. However, all this will not endanger any of the animals in the area.

Overall, the area should be a more desirable place to fish, as is the case around the Tinemaha Reservoir flume.

VI. ALTERNATIVES TO THE PROPOSED ACTION:

There are two basic alternatives, with one alternative having one or more solutions.

Alternative number one would be the "do nothing" choice and would in no way change the area from the way it now exists.

Alternative number two is the one that has been outlined in this report. Other solutions to the alternative would be to install the same type flume in some other location, either up or downstream from the proposed site. The proposed site was selected because it would cause the least impact on the area. Other site locations would require one or more of the following:

1. More roadwork.
2. Longer diversion channels from the existing river.
3. Building up of river banks upstream of the site.
4. More severe flooding out of the river banks.

VII. THE RELATIONSHIP BETWEEN LOCAL SHORT-TERM USES OF MAN'S ENVIRONMENT AND THE MAINTENANCE AND ENHANCEMENT OF LONG TERM PRODUCTIVITY:

The only short-term effects are those that will be caused by the construction work as mentioned in Article V. The long-term use of the land will remain the same as it is now, that being agricultural and recreational. Some increase in the recreational use of the river can be expected, but this will take place whether or not the project is implemented.

VIII. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES WHICH WOULD BE INVOLVED IN THE PROPOSED ACTION WHOULD IT BE IMPLEMENTED:

The project commits no resources other than the earth and rock fill material previously mentioned. The flume is being installed to gather water resource data and has no effect on the resource itself.

IX. THE GROWTH INDUCING IMPACT OF THE PROPOSED ACTION:

The project will have no growth-inducing impact as the area will remain as it is at this time.

X. BASIS FOR NEGATIVE DECLARATION:

This project is not considered to have a significant effect upon the environment for the following reasons:

1. No change in the historic use of the area.
2. No changes in the existing air or water pollution.
3. A very minimal change in the aesthetic quality of the area and existing noise levels.
4. No living units, homes or businesses, will be displaced or affected.
5. No historical areas or parks will be affected.
6. No impact on any rare or endangered species of flora or fauna will take place.

April 6, 1978

Mr. James F. Wickser
Northern District Engineer
Los Angeles Aqueduct Division
Department of Water and Power
of the City of Los Angeles
873 North Main Street
Bishop, California 93514

Dear Mr. Wickser:

On April 4, 1978, I, Raymond Stone, a member of the Big Pine Indian Community, visited the proposed site of the "Owens River 30 foot Flume". I am familiar with the area and have hunted and fished in the vicinity my entire life.

In case of any bones to notify us.

My father told me many years ago that the land near the Owens River was not used as a burial site because of high groundwater. The ancient burial sites were approximately a mile west of the river.

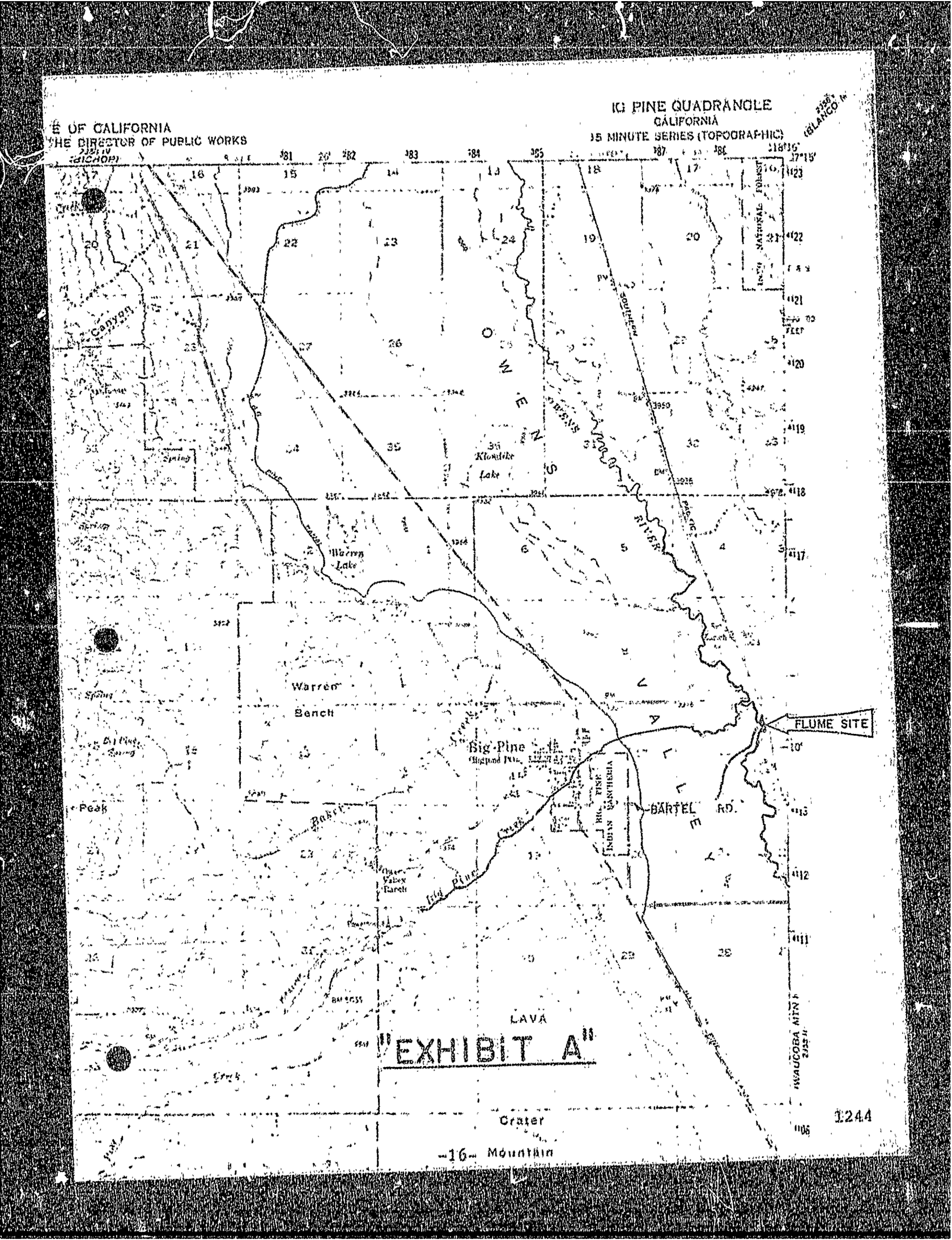
I did not observe anything that would lead me to believe this site has any historical significance.

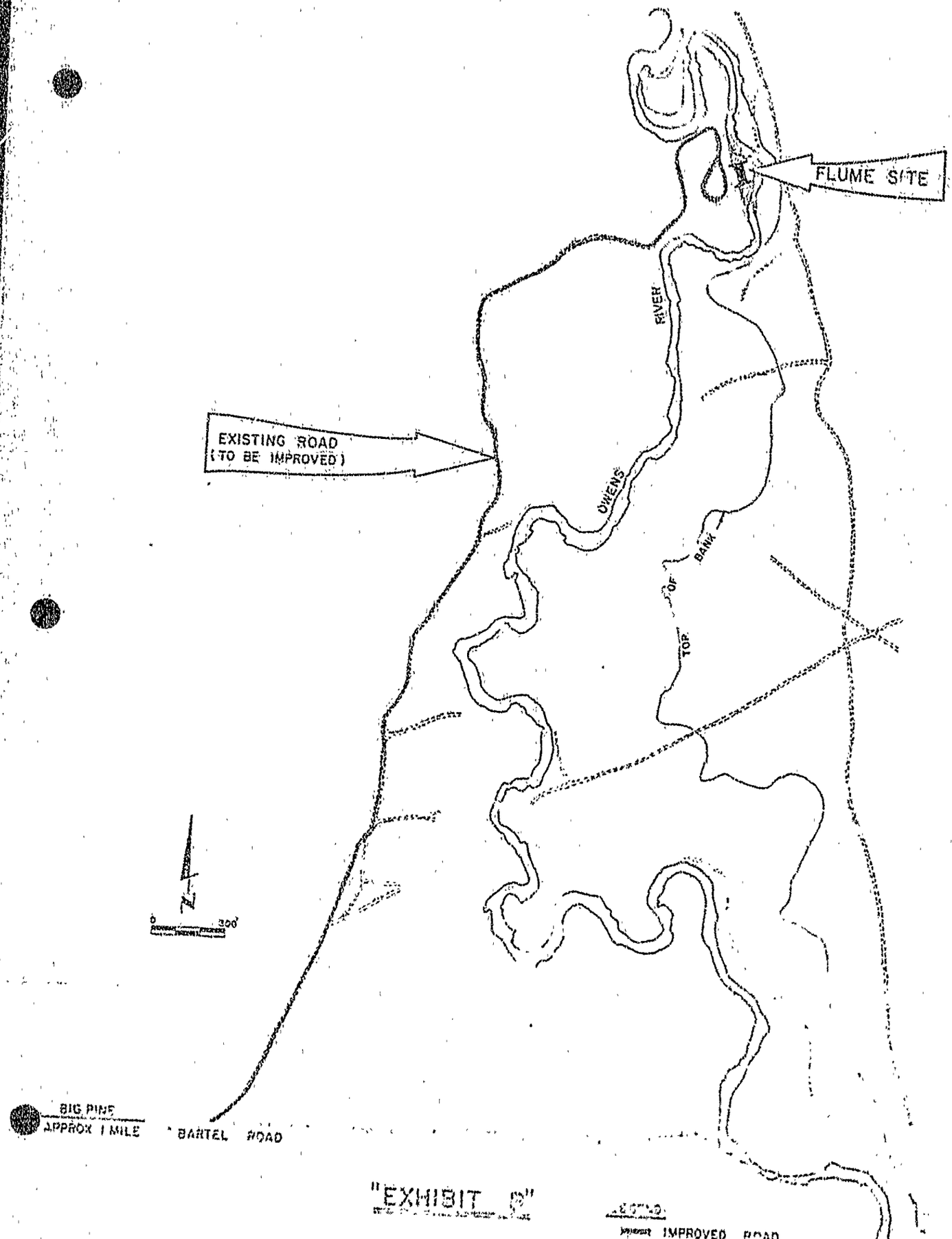
Sincerely,

Raymond Stone

Raymond L Stone Sr

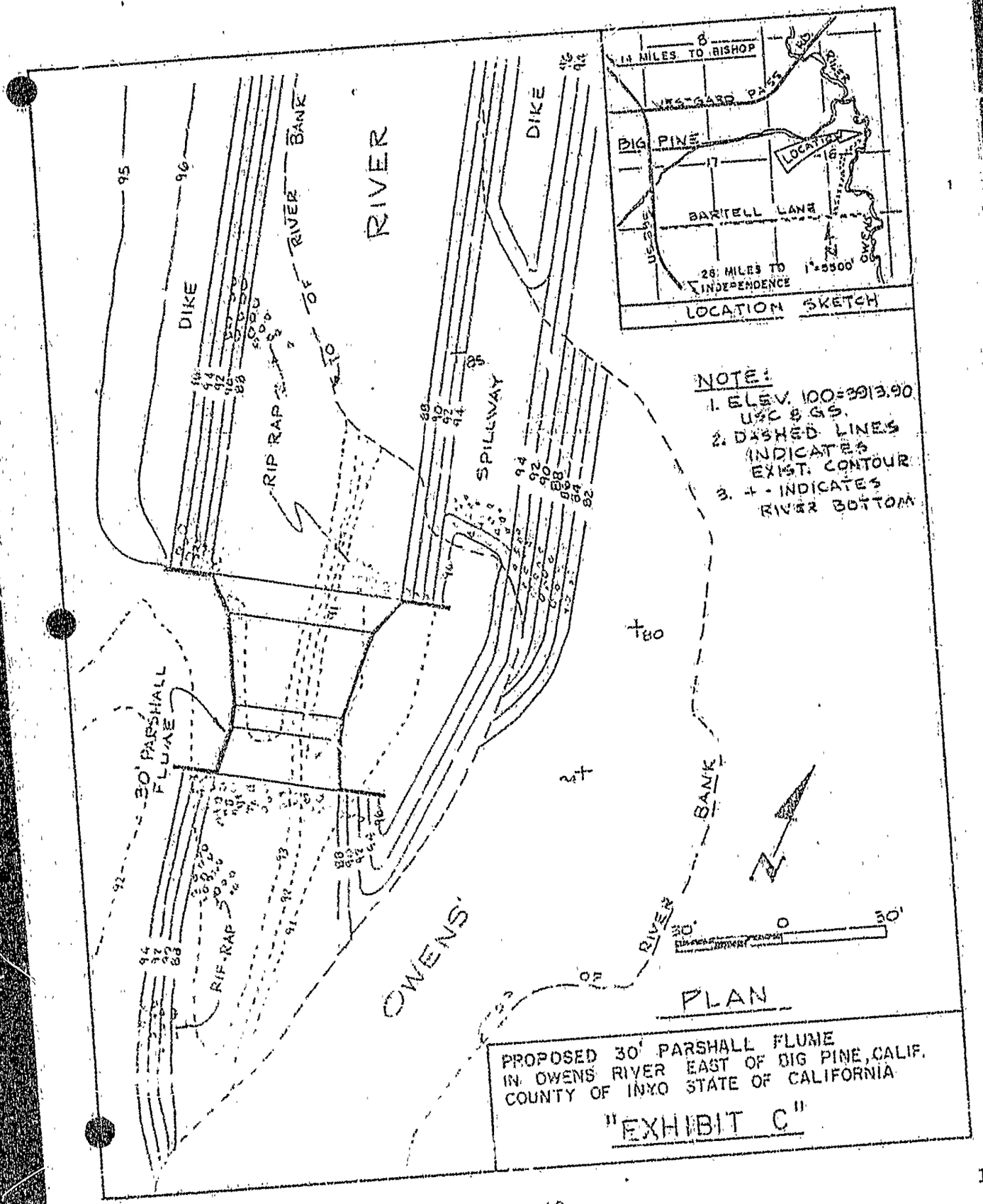
1243


E OF CALIFORNIA
HE DIRECTOR OF PUBLIC WORKS
IG PINE QUADRANGLE
CALIFORNIA
5 MINUTE SERIES (TOPOGRAPHIC)
Klondike Lake
Waring Lake
Warren Bench
Big Pine
FLUME SITE
BARTEL RD.
OWENS RIVER
OWENS VALLEY
Baker Creek
Big Pine Creek
LAVA
Crater
Mountain
"EXHIBIT A"
1244



"EXHIBIT D"

1245



LOCATION SKETCH

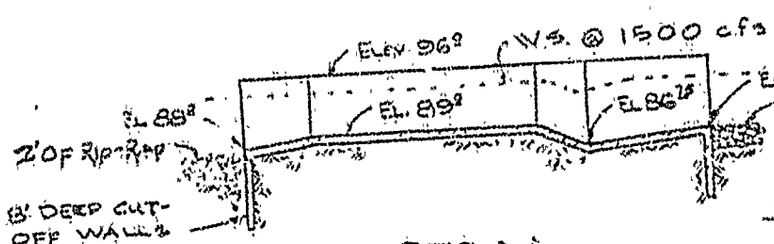
NOTE:
1. ELEV. 100=3913.90 USC & GS.
2. DASHED LINES INDICATES EXIST. CONTOUR
3. + - INDICATES RIVER BOTTOM

PLAN

PROPOSED 30' PARSHALL FLUME
IN OWENS RIVER EAST OF BIG PINE, CALIF.
COUNTY OF INYO STATE OF CALIFORNIA

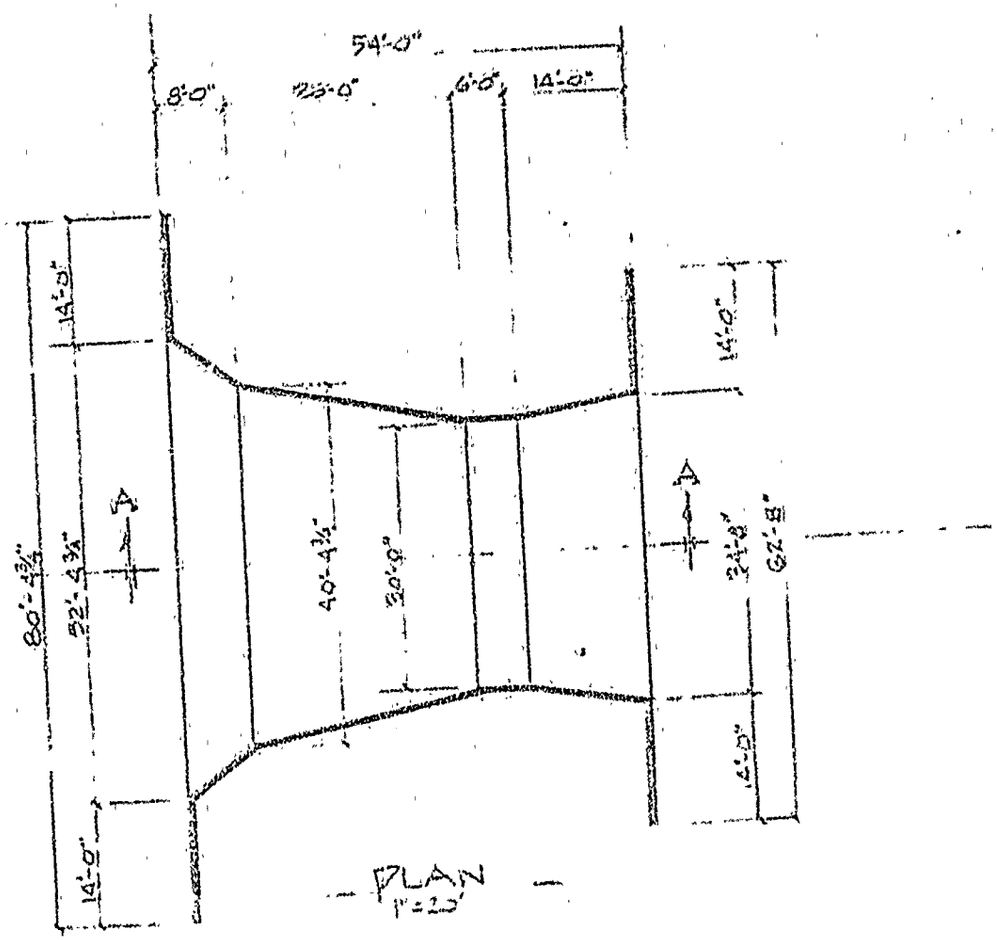
"EXHIBIT C"

1246



— SEC. A-A —
1"=20'

Note:
Elev. 100 = 3913.90
USC & GS.



— PLAN —
1"=20'

PROPOSED 30' PARSHALL FLUME
IN OWENS RIVER EAST OF BIG PINE, CALIF
COUNTY OF INYO STATE OF CALIFORNIA

"EXHIBIT D"

1247