

DRAFT

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT ON THE OWENS RIVER WATER TRAIL, MAKING FINDINGS RELATED THERETO, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, since 1913, approximately 60 miles of the lower portion of the Owens River was a mostly dry channel due to diversion of the river by the City of Los Angeles into the Los Angeles Aqueduct;

WHEREAS, In December 2006, a flow of 40 cubic feet per second was established along approximately 60 miles of the formerly dry stretch of river as part of the implementation of the Lower Owens River Project (LORP), a requirement of the 1991 Long Term Water Agreement between the City of Los Angeles and the County of Inyo (County);

WHEREAS, sections of the Lower Owens River corridor are non-navigable due to the river channel being partially or fully obstructed by emergent aquatic vegetation and associated sediment accumulation as well as by large and small woody debris;

WHEREAS, the County of Inyo proposes to construct and maintain a project known as the Owens River Water Trail (ORWT) to allow public recreational access to an approximately 6.1-mile segment of the Owens River that has a stable flow that is ideal for safe paddling;

WHEREAS, as part of the ORWT, emergent vegetation and other obstacles will be cleared from the 6.1-mile section of the river to provide unimpeded navigation for non-motorized watercraft, such as kayaks, stand-up paddle boards, and canoes, and facilities will be constructed will allow recreational users to enter and exit the river. In addition, the project will provide instream and riparian habitat benefits and improve water quality;

WHEREAS, as noted in Section 2.6 of the Draft EIR, following the certification of the Final EIR by the Inyo County Board of Supervisors, the County will seek to obtain a lease or similar authorization from the Los Angeles Department of Water and Power (LADWP) that would allow the County to construct, operate, and maintain the ORWT project on Los Angeles-owned land for the duration of the project and which will provide for public access to the project area;

WHEREAS, because the lease or similar authorization has not yet been obtained from LADWP, the County will not approve the ORWT project at this time, but will

defer approval of the project until a lease or similar authorization has been obtained; however, by this resolution, the County intends to certify the Final EIR, make findings required by the CEQA, adopt a Mitigation Monitoring and Reporting Plan and take other necessary actions;

WHEREAS, a Notice of Preparation (NOP) formally informing the public that the County was preparing a draft environmental impact report for the project (Draft EIR) was circulated to State, regional, and local agencies, and members of the public for a 30-day review period, from May 24, 2018, to June 25, 2018. The NOP solicited input regarding the scope and content of the environmental information to be included in the Draft EIR. In addition, on June 11, 2018, the County conducted a public scoping meeting to obtain comments from interested parties on the scope of the Draft EIR;

WHEREAS, written comment letters responding to the NOP were received and comments concerning the Draft EIR were received at the public scoping meeting. Following the receipt of comments, the Draft EIR was prepared. A summary of comments received at the scoping meeting is included in Appendix A of the Draft EIR.

WHEREAS, upon completion of the Draft EIR, a Notice of Completion and Availability requesting comments on the Draft EIR, as well as CD copies of the Draft EIR, were submitted to the State Clearinghouse, Governor's Office of Planning and Research for distribution to state agencies and to other public agencies and other interested parties. The Notice of Completion and Availability stating that comments would be accepted on the Draft EIR from May 8, 2019, through June 21, 2019, was posted in the office of the Inyo County Clerk and published in the *Inyo Register*;

WHEREAS, the Draft EIR was circulated for public review and comment from May 8, 2019, through June 21, 2019, and copies of the Draft EIR were available during the comment period at the Inyo County Water Department (135 S. Jackson Street, Independence), County Libraries, and the Inyo County Planning Department's website at: <https://www.inyocounty.us/EnvironmentalDocuments/EnvDocs.php>;

WHEREAS, during the public review period, the County received 30 comment letters on the Draft EIR from agencies, organizations, individuals, and tribes through written correspondence and emails;

WHEREAS, following the receipt of public comments, a Final Environmental Impact Report on the ORWT project (SCH No. 2018051049) dated January 2026 (Final EIR) was prepared. Copies of the comments received during the public review period and responses to the comments are presented in Chapter 2 of the Final EIR;

WHEREAS, copies of the Final EIR (and the Draft EIR) have been available at the Inyo County Water Department (135 S. Jackson Street, Independence), County Libraries, and the Inyo County Water Department's website at

<https://inyowater.org/meetings/water-commission/> since January 28, 2026;

WHEREAS, on February 9, 2026, the Inyo County Water Commission conducted a public meeting to consider the Final EIR and this resolution and, after review of those documents and a staff report from the Inyo County Water Department, made a recommendation to this Board that this Board adopt this resolution;

WHEREAS, this Board of Supervisors held a public hearing on _____, 2026, and considered all written and oral testimony (including the recommendation from the Water Commission) presented concerning Final EIR and a draft of this resolution.

NOW, THEREFORE, BE IT HEREBY RESOLVED that, based on all of the written and oral comment and input received at the _____, 2026 hearing, including a staff report from the Water Department and the Final EIR concerning the proposed ORWT project, this Board, as the decision making body for the County of Inyo makes the following certifications and findings:

- 1.) This Board certifies that the Final EIR on the Owens River Water Trail project was prepared, circulated, and completed in accordance with the California Environmental Quality Act and was completed in compliance with CEQA.
- 2.) This Board certifies that all of the documents that comprise the Final EIR, including the Draft EIR, have been provided to this Board of Supervisors in advance of the hearing on the project and, this Board, as the decision making body of the lead agency, the County of Inyo, has reviewed and considered the information in the Final EIR and the Final EIR reflects its independent judgment.
- 3.) Based upon its review and consideration of the information in the Final EIR makes the findings as set forth below concerning each of the significant or potentially significant effects of the project.

Biological Resources

4.) EIR Impact Statement BIO-1: Effects on Special-Status Species

Impact. Project construction and operation could have a substantial adverse effect on special-status plant and wildlife species and their habitats through ground disturbance and increased human activity.

Finding. The adoption and implementation of Mitigation Measures BIO-1 (as modified in the FSEIR), BIO-2, and BIO-3 (as modified in the FSEIR), will avoid or minimize impacts to special-status species; therefore, this impact is reduced to a less-than-significant level.

5.) EIR Impact Statement BIO-2: Effects on Riparian Habitat and other Sensitive Natural Communities

Impact. Project activities could have a substantial adverse effect on riparian habitat or other sensitive natural communities.

Finding. The adoption and implementation of Mitigation Measures BIO-4 and BIO-5 (as modified in the FEIR) will reduce impacts to riparian habitat and other sensitive natural communities to a less-than-significant level.

6.) EIR Impact Statement BIO-3: Effects on State or Federally Protected Wetlands

Impact. The project could have a substantially adverse effect on state or federally protected wetlands.

Finding. The adoption and implementation of Mitigation Measure BIO-6 (as modified in the FEIR) will reduce impacts to state or federally protected wetlands to a less than significant level.

7.) EIR Impact Statement BIO-4: Effects on the movement of native resident or migratory fish or wildlife species, on established native resident or migratory wildlife corridors, and/or on the use of native wildlife nursery sites.

Impact. The project could have a substantially adverse effect on the movement of native resident or migratory fish or wildlife species or on established native resident or migratory wildlife corridors, or on the use of native wildlife nursery sites.

Finding. The adoption and implementation of Mitigation Measures BIO-7 (as modified in the FEIR) BIO-2, and BIO-8, BIO-9, and BIO-10 (as modified in the FEIR) will reduce impacts to native resident or migratory fish or wildlife species, established native resident or migratory wildlife corridors, and on the use of native wildlife nursery sites to a less than significant level.

Cultural Resources

8.) EIR Impact CUL-1: Historical Resources

Impact. The project could have a substantially adverse effect on the significance of an historical resource.

Finding. The adoption and implementation of Mitigation Measures CUL-1, CUL-2 and CUL-3 through CUL-8 (as modified in the FEIR) will reduce potential impacts to historical resources to a less than significant level.

9.) EIR Impact CUL-2: Archaeological Resources

Impact. The project could have a substantially adverse effect on the significance of an Archaeological Resource.

Finding. The adoption and implementation of Mitigation Measures CUL-1, CUL-2 and CUL-3 through CUL-8 (as modified in the FEIR) will reduce potential impacts to archaeological resources to a less than significant level.

10.) EIR Impact CUL-2: Human Remains

Impact. The project could have a substantially adverse effect human remains, including those interred outside of formal cemeteries.

Finding. The adoption and implementation of Mitigation Measure CUL-9 will reduce potential impacts to archaeological resources to a less than significant level.

Geology and Soils

11.) EIR Impact GEO-2: Erosion and Sedimentation within the River

Impact. In channel vegetation and soil removal as part of the project could disturb the channel bottom potentially increasing sedimentation and erosion within the river.

Finding. The adoption and implementation of Mitigation Measures HYD-1a and HYD-2, impacts related to erosion would be reduced to less than significant.

12.) EIR Impact GEO-5: Unique Paleontological Resource and unique Geologic Feature.

Impact. During construction of the boat launch and take-out facilities, the project has the potential to directly or indirectly destroy a unique paleontological resource or a unique geologic feature.

Finding. The adoption and implementation of Mitigation Measures GEO-1, GEO-2, GEO-3 (as modified in the FEIR) and GEO-4 would reduce potential impacts to a unique paleontological resource and to a unique geologic feature to a less than significant level.

Hydrology and Water Quality

13.) EIR Impact HYD-1: Water Quality

Impact. The project could result in a significant impact to water quality, violate water quality standards, or conflict with existing water quality control and other plans during project construction or operation/maintenance activities that release pollutants into the Lower Owens River.

Finding. The adoption and implementation of Mitigation Measures BIO-7, HYD-1a and HYD-1b will reduce potential impacts to water quality to a less-than-significant level.

14.) EIR Impact HYD-2: Increased Erosion and Siltation

Impact. Construction and operation of the project could result in increased erosion and siltation through removal of in-channel vegetation and occlusions, stockpiling of spoils and construction of new impervious surfaces.

Finding. Hydraulic analysis indicates that the project would not substantially alter the overall flowpath of the river, would not result in shifting the river system to an unstable (i.e., eroding) state, and would not impede flood flows. This finding together with the adoption and implementation of Mitigation Measure HYD-2 (which manage sediment releases from spoils) will reduce potential impacts to water quality to a less-than-significant level.

- 15.) The Board will incorporate into the project as conditions of approval at the time of the approval of the project all the mitigation measures identified in the Final EIR (BIO-1 through BIO-10, CUL-1 through CUL-10, GEO-1 through GEO-5 and HYD-1a, HYD-1b and HYD-2 (see Table ES-1 in the Draft EIR)).
- 16.) This Board adopts the Mitigation Monitoring and Reporting Program (MMRP) presented in the Final EIR.
- 17.) Changes or alterations have been required in, or incorporated into project which avoid or substantially lessen the environmental effects identified in the Final EIR. In addition, all potentially significant impacts identified in the Final EIR will be mitigated to a less than significant level due to incorporation of the mitigation measures identified in the Final EIR as conditions of project approval and by the implementation of the MMRP; therefore on the basis of the whole record, including the Final EIR, the comments received and the findings above, the project will not have a significant effect on the environment.
- 18.) Because the project will not result in significant environmental impacts, this Board makes no findings concerning the alternatives to the project identified in the Final EIR.
- 19.) The documents and other materials including the Draft EIR and the Final EIR that constitute the record of proceedings on which this Board reviewed and considered in making certifications and findings are located at the Inyo County Water Department, 135 S. Jackson Street, Independence and the Inyo County Water Department is the custodian of these documents.

BE IT FURTHER RESOLVED that the Inyo County Counsel is directed to file a Notice of Determination with the State Office of Planning and Research and the Inyo County Clerk.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2026:

AYES:

NOES:

ABSTAIN:

ABSENT:

Trina Orrill, Chairperson
Inyo County Board of Supervisors

ATTEST:

Clerk of the Board

By _____