

# MONO COUNTY PLANNING COMMISSION

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commdev@mono.ca.gov

PO Box 8  
Bridgeport, CA 93517  
760.932.5420, fax 932.5431  
[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

## AGENDA

THURSDAY, NOVEMBER 12, 2015 – 10 a.m.  
Supervisors Chambers, County Courthouse, Bridgeport

\*Videoconference: Town/County Conference Room, Minaret Village Mall, Mammoth Lakes

Full agenda packets, plus associated materials distributed less than 72 hours prior to the meeting, will be available for public review at the Community Development offices in Bridgeport (Annex 1, 74 N. School St.) or Mammoth Lakes (Minaret Village Mall, above Giovanni's restaurant). Agenda packets are also posted online at [www.monocounty.ca.gov](http://www.monocounty.ca.gov) / boards & commissions / planning commission. For inclusion on the e-mail distribution list, interested persons can subscribe on the website.

*\*Agenda sequence (see note following agenda).*

**1. CALL TO ORDER & PLEDGE OF ALLEGIANCE**

**2. PUBLIC COMMENT:** Opportunity to address the Planning Commission on items not on the agenda

**3. MEETING MINUTES:** Review and adopt minutes of October 8, 2015 – *p. 1*

**4. PUBLIC HEARING**

**10:10 A.M.**

**A. GENERAL PLAN AMENDMENT 15-002** to amend the General Plan Land Use Designation Map to add six parcels along Nevada Street (APN 016-099-027, -036, -037, -041, -042 and 016-096-06) to the established Transient Rental Overlay District (TROD) along Nevada Street and SR 158 at June Lake to allow for nightly rentals. In accordance with the California Environmental Quality Act, an addendum to the existing General Plan EIR is being utilized. *Staff: Courtney Weiche, associate planner – p. 4*

**10:50 A.M.**

**B. 2015 MONO COUNTY REGIONAL TRANSPORTATION PLAN, GENERAL PLAN, COUNTYWIDE INTEGRATED WASTE MANAGEMENT PLAN, AND NOISE ORDINANCE UPDATES; AND REPEAL OF THE CONWAY RANCH SPECIFIC PLAN** (the "2015 Updates and Repeal of the Conway Ranch Specific Plan"); **AND FINAL ENVIRONMENTAL IMPACT REPORT** to 1) adopt Resolution 15-05 making findings that a Final EIR (FEIR) has been prepared for the project in compliance with CEQA and that the FEIR is adequate and complete for consideration by the Board of Supervisors; 2) recommending the Board of Supervisors make the required findings and statement, certify the FEIR, and adopt the Mitigation Monitoring and Reporting Program (MMRP); and 3) finding that the 2015 Updates and Repeal of the Conway Ranch Specific Plan, including text changes to the Land Use Element, are consistent with the General Plan and recommending the Board of Supervisors adopt GPA 15-003, the MMRP, the CIWMP, and Noise Ordinance, and repeal the Conway Ranch Specific Plan. The 2015 Updates and Repeal of the Conway Ranch Specific Plan include a comprehensive update to the Land Use, Circulation, Conservation/Open Space, Safety and Noise elements of the General Plan; as well as the Regional Transportation Plan (RTP), three elements of the Countywide Integrated Waste Management Plan (CIWMP), Noise Ordinance, and the repeal of the Conway Ranch Specific Plan. The General Plan, RTP, CIWMP and Noise Ordinance cover the unincorporated areas. The RTP also applies

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Mary Pipersky

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COMMISSIONER  
Rodger B. Thompson

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DISTRICT #4  
COMMISSIONER  
Scott Bush

DISTRICT #5  
COMMISSIONER  
Chris Lizza

to the town of Mammoth Lakes, and the CIWMP addresses solid waste issues within the town. The General Plan and RTP update continue to focus growth in and adjacent to existing communities to avoid growth in environmentally sensitive areas and agricultural lands, and support sustainable, healthy, and livable communities. The 2015 Updates and Repeal of the Conway Ranch Specific Plan will supersede and replace the currently adopted documents and plans. An Environmental Impact Report has been prepared for the proposed project in compliance with provisions of the California Environmental Quality Act (CEQA). *Staff: Wendy Sugimura, associate analyst; Brent Calloway, associate analyst – p. 46*

**5. WORKSHOP:** No items.

**6. REPORTS:**

**A. DIRECTOR**

**B. COMMISSIONERS**

**7. INFORMATIONAL:** No items.

**8. ADJOURN** to December 10, 2015

**\*NOTE:** Although the Planning Commission generally strives to follow the agenda sequence, it reserves the right to take any agenda item – other than a noticed public hearing – in any order, and at any time after its meeting starts. The Planning Commission encourages public attendance and participation.

In compliance with the Americans with Disabilities Act, anyone who needs special assistance to attend this meeting can contact the Commission secretary at 760-924-1804 within 48 hours prior to the meeting in order to ensure accessibility (see 42 USCS 12132, 28CFR 35.130).
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\*The public may participate in the meeting at the teleconference site, where attendees may address the Commission directly. Please be advised that Mono County does its best to ensure the reliability of videoconferencing, but cannot guarantee that the system always works. If an agenda item is important to you, you might consider attending the meeting in Bridgeport.

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Interested persons may appear before the Commission to present testimony for public hearings, or prior to or at the hearing file written correspondence with the Commission secretary. Future court challenges to these items may be limited to those issues raised at the public hearing or provided in writing to the Mono County Planning Commission prior to or at the public hearing. Project proponents, agents or citizens who wish to speak are asked to be acknowledged by the Chair, print their names on the sign-in sheet, and address the Commission from the podium.

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## DRAFT MINUTES

OCTOBER 8, 2015

**COMMISSIONERS:** Scott Bush, Chris I. Lizza, Mary Pipersky, Dan Roberts, Rodger B. Thompson

**STAFF:** Gerry Le Francois, principal planner; Steve Connett, GIS technician; Jeff Walters & Walt Lehmann, public works; Stacey Simon, assistant county counsel; C.D. Ritter, commission secretary

**1. CALL TO ORDER & PLEDGE OF ALLEGIANCE:** Chair Rodger B. Thompson called the meeting to order at 10:07 a.m. in the board chambers at the county courthouse in Bridgeport, and attendees recited the pledge of allegiance.

**2. PUBLIC COMMENT:** None

**3. MEETING MINUTES:**

***MOTION:*** Adopt minutes of Sept. 10, 2015, as amended: Open public comment, second line, than instead of then. (*Bush/Roberts. Ayes: 4. Abstain due to absence: Thompson.*)

**4. PUBLIC HEARING**

**A. FIRST ONE-YEAR EXTENSION OF TENTATIVE TRACT MAP (TTM) 37-46/White Mountain Estates (WME).**

Gerry Le Francois reviewed chronological progress of the 45-lot subdivision off Hwy 6 in Chalfant Valley, close to existing WME. Big project for Mono County. Lots laid out as half-acre, larger with elevation gain. Significant amount of work in approving Specific Plan (SP) and EIR in November 2007. Maps originally were approved for three years, and then developer could apply for three one-year extensions. Meanwhile, economy soured. Developer Bob Stark has been working diligently to finish map. In 2010, came to Commission and Board for changes. Developer either would pay fair share or rehab WME Drive. In 2012, PC and BOS looked at additional amendments waiving affordable housing and dropping traffic-calming feature as well as fair share of parks. Today's approval would extend map another year. Stark will return if not finished by November 2016. CEQA component = EIR, subject to SP consistency.

**OPEN PUBLIC COMMENT:** Steve Kappos, attorney for WME, stated developer persevered during difficult economic times, expects final map early next year. He noted that extension should include amendments that occurred since original approval. Approving amendments as well? Le Francois: Included in BOS approval. Stacey Simon clarified approving one-year extension to map as previously amended. **CLOSE PUBLIC COMMENT.**

**DISCUSSION:** Bush was only commissioner from back then.

***MOTION:*** In accordance with CEQA Guidelines Section 15192, acknowledge that a Specific Plan was previously approved for the project on Nov. 20, 2007, and thus no EIR or Negative Declaration needed to be prepared at that time for a residential project undertaken pursuant to and in conformity to that Specific Plan. Recommend approval to the Board of Supervisors a one-year extension of Tentative Tract Map 37-46/White Mountain Estates to Nov. 20, 2016, subject to the previous Conditions of Approval and Mitigation Monitoring Program. (*Bush/Pipersky. Ayes: 5-0.*)

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COMMISSIONER  
Chris Lizza

## 5. WORKSHOP

### A. REVIEW OF CH. 13, MONO COUNTY CODE: STREET NAMING. *Staff: Steve Connett, GIS technician*

Le Francois stated the ordinance changed in 2006 to have names come to PC at noticed public hearings. Go to RPACs, fire chiefs.

Steve Connett indicated 911 system requires centerline data wherever an address exists. Confusing addresses:

- 1) Street addresses duplicated within same zip code;
- 2) Phonetical confusion, more than two properties accessed from private driveway. Ch. 13.35 in Mono County Code. Shipping, Google, etc.
- 3) Streets with no name, but used by public to access to infrastructure, private property or points of interest.
- 4) Driveways that access more than two properties in which street numbers are often confusing and/or obscured.

Bush cited Mixed Use parcels in Walker with business in front, residence behind. Connett: Single property owner, not same requirement. Assign unit designation. Prefer unit number posted within 50' of unit. He listed properties in question:

- A. LLA 14-004MC/Jensen: Private driveway potentially provides access to three parcels, all of which are in excess of two acres, and access for existing structure is currently taken through one parcel to another;
- B. Old US 395 by Lundy Lake Road and Cemetery Road. Old paved highway connects Lundy cutoff with US 395 and further provides access to residential property, historical buildings; and
- C. Larkspur Lane in Mammoth and Crowley: Maybe propose Larkspur Drive North and South for Crowley?

IT needs direction on how to move forward. Insurers need valid addresses, so there's a sense of urgency.

Can Mono name private driveway without responsibility? Connett: When three parcels with access off driveway, becomes public in that sense.

County road, or authority if not County road? Stacey Simon indicated Mono has authority even on private roads or public roads/non-County. Need to verify before moving forward. Ordinance says only applies to public roads. Usually litigated, court decides on private roads. Naming is for public safety, not nefarious purpose. Connett affirmed clear names are needed to identify properties for emergencies.

Open up naming in case streets can be renamed for other reason; e.g., honor someone? Connett: Name doesn't matter, just need to have address. Need complete center line in data. Need to get process underway. Bush was confused on the need. Connett: Propose three or four names relating to landmarks; e.g., De Chambeau Creek Road.

Go to RPACs and/or property owners? Connett: Hopefully Simis will come up with name. Urgency is due to Lundy Dam address on residence.

Le Francois stated staff would want proposed names to go to RPAC, so include in public hearing notice.

Bush suggested explaining to owners that street name is needed. Going to happen, so suggest names.

Lizza thought it not super urgent. As emergency responder, he wouldn't know where it is with new name on road. More common to respond to Simis residence.

Bush stated sheriff office has problems with calls from Twin Lakes – Bridgeport or Mammoth Lakes? If caller just says on Larkspur, found in two different communities so could send paramedics to wrong site. Connett cited Minaret Road confusion as well. Problem for geocoding, where GIS software is used.

Bush suggested changing Larkspur to something different would be smartest for public safety. Connett would need consensus among residents.

At a public hearing, four or five could be arguing for name they want.

Le Francois noted recommendation to BOS for ultimate decision. Larkspur was changed in 2003, took heat for proposing name change. Fire commissioners were upset. Ordinance facilitated broader public process. Three noticing requirements are needed.

Connett noted addresses in Mammoth Lakes are changed through resolution process.

Roberts noted in June Lake, SR 158 has sections through private property called Boulder Drive. Understood consistency of numbering, but Google maps and post office show Boulder Drive. Street names show character of a community.

Connett stated all addresses are by highway name now.

Pipersky noted issue goes beyond emergency response to shipping. Sunny Slopes exists in Mammoth Lakes also, with same zip code. Connett stated IT philosophy is to do least it has to. Pipersky suggested clear differentiation.

Connett noted a tract map is required to name streets, so look at historic documents to get original name. Research each case.

Le Francois stated tract maps go to Public Works for naming. With IT handling Town as well as Mono, redundancy could lead to fewer conflicts in future. Connett noted in Mammoth Lakes, circulate submittals to all for comment, and then IT sees it. Process is set for Town.

Le Francois noted original White Mountain Estates had two phases, but only first was approved. Names were set then.

Lizza commended Connett's work. IT is going paperless wherever it can.

How does process start? Connett stated with LADWP address changes, roads considered public actually are not. Director of Transportation Jeff Walters is initial contact. People in RPACs could find out and, if not notified, be upset. Connett thought public road or not, should go to public.

Le Francois described this workshop as predominantly based on ordinance. Planning Commission says take it to RPACs.

Who decides name is OK? Connett stated ordinance says come up with proposed name, have public hearing. Le Francois thought people should have something to react to.

Connett thought proposing a name would give some direction. IT would propose only if none is proposed. Name change is personal.

Thompson preferred it be handled at local level, then through system. At Planning Commission, have one name at public hearing.

Bush wanted to take idea to RPAC, explain, and come up with name prior to public hearing. Le Francois suggested notifying anyone on a street and posting in community.

How to generate name on unnamed street? Le Francois cited owners of real property on that street.

## 6. REPORTS:

**A. DIRECTOR:** 1) DEIR next month to BOS December. 2) SP amendment for JL Highlands for TRODs. 3) Property owners trouble getting fire insurance, one tree for every 1,000' (screening); why changing standard, when I had to do it; 4) economy picked up, active building permits, props for sale, people calling;

SS: Appeal by Lehman on Variance 15-001 to BOS Oct. 20.

**B. COMMISSIONERS:** **Lizza:** Attended Association of Environmental Professionals. Staff presentations by Stacey Simon and Wendy Sugimura well received, very valuable.

**Roberts:** Sparse attendance predicted at California County Planning Commissioners Association (CCPCA) conference Oct. 23-24 at June Lake. IT will record for other commissioners who can't attend and post online for later viewing.

## 7. INFORMATIONAL: No items.

## 8. ADJOURN at 11:42 a.m. to November 12, 2015

*Prepared by C.D. Ritter, commission secretary*

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November 12, 2015

**To:** Mono County Planning Commission

**From:** Courtney Weiche, Associate Planner

**Subject:** General Plan Amendment 15-002/Transient Rental Overlay District expansion at June Lake

### RECOMMENDED ACTION

1. Approve Resolution R15-04 , accepting Addendum 15-02 to the Mono County General Plan EIR and recommending approval of General Plan Amendment 15-002; or
  - a. Determine that the Planning Commission cannot make one or more of the required findings contained in the staff report and deny GPA 15-002.

### BACKGROUND

The Board of Supervisors approved General Plan Amendment 12-001 in December 2012 that added Chapter 25, Transient Overlay Districts, and Chapter 26, Transient Rental Standards and Enforcement, to the Mono County General Plan Land Use Element. The intent of the amendment was to allow transient rentals within compatible residential neighborhoods to increase tourism opportunities and provide additional economic support to homeowners.

The creation of Chapters 25 & 26 provides a General Plan tool to allow transient rentals in specific neighborhoods through a General Plan Amendment application for a Transient Rental Overlay District (TROD).

A TROD application requires that the shape of any proposed district be contiguous, compact and orderly. Factors used to determine compact and orderly include street-frontage sharing, adjoining yards, and existing characteristics that define residential neighborhood boundaries such as subdivision boundaries, major roads, natural features, large undeveloped parcels, and commercial or civic land uses.

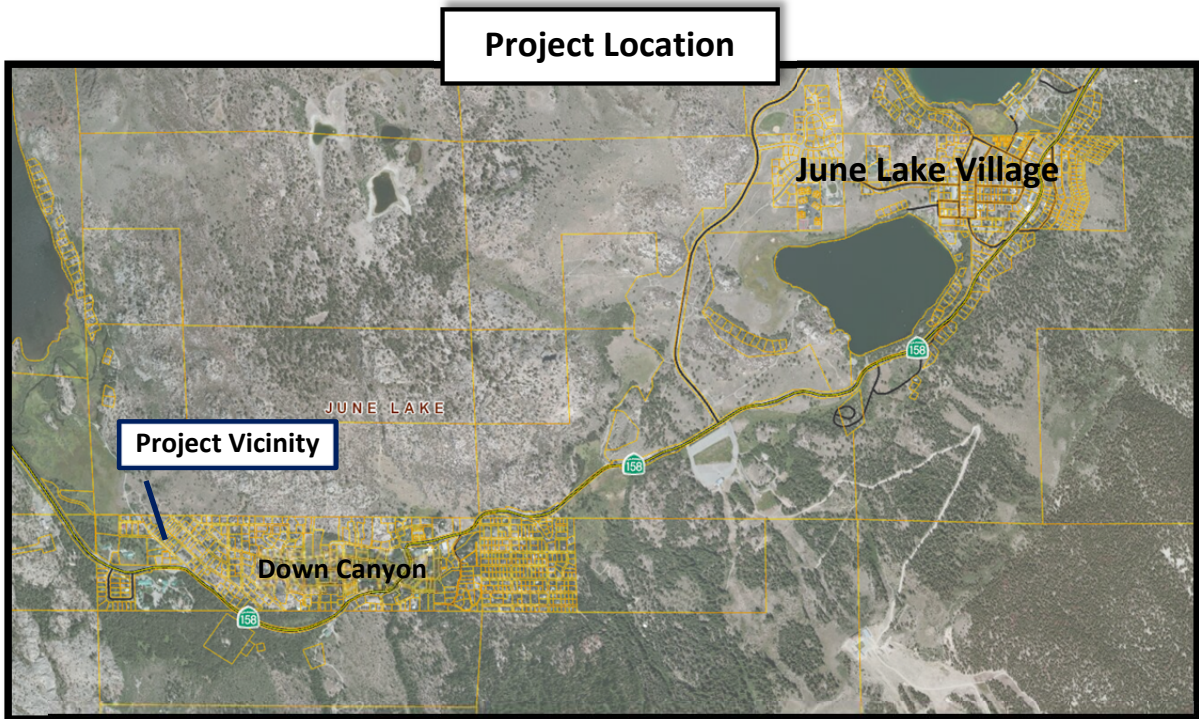
Chapter 26 provides regulations that ensure transient rentals meet minimum safety requirements, provide 24-hour local property management, allow for enhanced enforcement of unpermitted transient operators, and provide means for minimizing potential neighborhood conflicts such as parking and noise. If a Transient Rental Overlay District is approved, individual homeowners in the district would then be required to submit a Transient Rental application in conformance with the regulations specified in Chapter 26 before commencing short-term rentals.

### GENERAL PLAN AMENDMENT 15-002 June Lake/Nevada St.

The proposal is to expand the existing Transient Rental Overlay District (TROD) along Nevada Street, Highway 158 and Silver Meadow Lane at June Lake on four parcels (APN 016-099-027, -036, -037, and 016-096-006) along Nevada St. The original application and public hearing notice included two additional parcels (APN 016-099-041 and -042). The property owner has since decided to withdraw their portion of the proposed TROD from this application. The remaining four parcels are contiguous to one another and therefore still qualify as one district.

All four parcels are designated Single Family Residential (SFR) and each parcel has an existing primary residence. Access is taken from Nevada St; an unimproved and privately maintained road. The Clark Tract residents above Nevada St. take access from California Street, to the south, right near the exit off

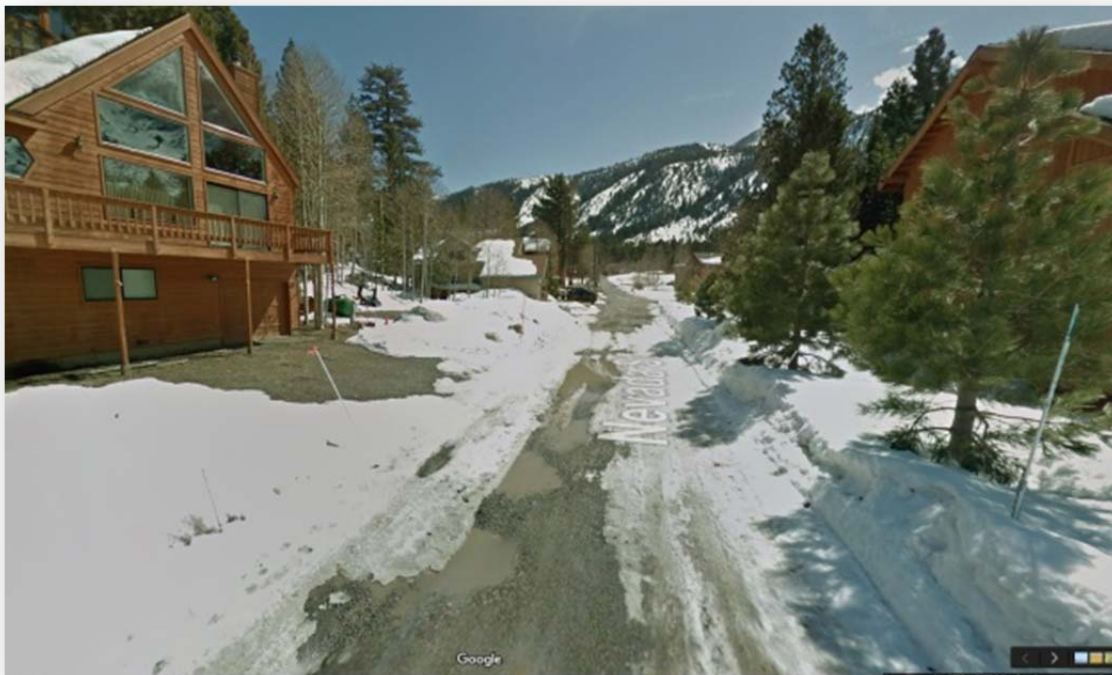
Hwy 158 and are not directly impacted as the proposal is much further down the road. There are numerous forest service lessee cabins further north along Nevada Street on USFS property. Depending on the winter, the access road to the cabins is closed just beyond the farthest-most parcel included in the proposed TROD at 164 Nevada Street.



**Access to California & Nevada St.**



**Street View from Opposite End of Nevada St. Looking South**





# Proposed Residences in TROD Expansion

122 Nevada St.



130 Nevada St.



161 Nevada St.



164 Nevada St.





## LAND DEVELOPMENT TECHNICAL ADVISORY COMMITTEE

The LDTAC met September 21, 2015, to review and provide input on the project proposal. The LDTAC accepted the proposed Transient Rental Overlay District application and recommended moving forward with processing the permit.

## COMMENTS RECEIVED

A public hearing notice was sent to all property owners, within a general 1000' radius, along Nevada Street (including all USFS cabin lessees) and Washington St. located above the proposed TROD expansion October 21<sup>st</sup>. In addition, the hearing notice was published in the Mammoth Times and The Sheet for two consecutive weeks. Note state law requires only one notice to be published in the paper and property owner notice to be sent within 300 feet of a project, 10 days prior to the hearing.

Following public notice, multiple phone calls and letters were received. Two participants in the existing adjoining TROD called expressing their support. Property owner at 93 Nevada St. expressed support, however wanted to make sure the vacant area on their parcel was not used for any parking during the winter months as this is the primary location for Nevada Street snow storage. They acknowledged it is common for locals to use this area for overflow parking during summer months, but locals also understand it is prohibited once the snow falls in order to accommodate Nevada Street snow storage needs. A condition of approval for the Vacation Home Rental permit has been added so that review of rental agreements along Nevada Street clearly state this restriction (regardless of summer vs. winter months) and emphasizes Chapter 26 requirement that all visitor parking must be located on site.

In addition, a number of letters were received in opposition, citing the following concerns:

- Road maintenance impacts and associated upkeep costs
- Accident liability
- Quality of life impacts
- Inadequate parking for existing residences
- Impacts to local hotels
- In addition, one comment letter was re-submitted, with an attached petition, from a previous TROD application

All comment letters have been included as an attachment to this staff report. It is important to recognize, that although there has been known controversy related to previous TROD applications in the project vicinity, the County has an obligation to impartially process new permit applications in conformance to regulations.

## GENERAL PLAN CONSISTENCY

The proposed general plan amendment complies with existing General Plan, including the following Countywide Policies:

**Objective H** Maintain and enhance the local economy.

Policy 5: Promote diversification and continued growth of the county's economic base.

*Action 5.1:* Encourage and promote the preservation and expansion of the county's tourist and recreation based economy.

## CEQA COMPLIANCE

An addendum to the county General Plan EIR has been prepared for the proposed project. The impacts of the proposed project will not result in a substantive change to the number of significant effects, severity of effects, or the feasibility and/or effectiveness of applicable mitigation measures or alternatives previously addressed in the General Plan EIR.

## ATTACHMENTS

- EIR Addendum 15-02
- GPA 15-002:
  - Resolution R15-04

- Comment Letters
- Chapter 26 Transient Rental Standards and Enforcement



## RESOLUTION R15-04

**A RESOLUTION OF THE MONO COUNTY PLANNING COMMISSION  
RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT 15-002,  
PLACING A TRANSIENT RENTAL OVERLAY DISTRICT ON FOUR PARCELS  
AT JUNE LAKE (ASSESSOR'S PARCEL NUMBERS 016-099-027, -036, -037 & 016-096-006)**

**WHEREAS**, In accordance with General Plan Requirements, the property owner has submitted a Transient Rental Overlay District application for a transient rental, which includes a General Plan Map Amendment (GPA); and

**WHEREAS**, the proposed General Plan Amendment 15-002, in conjunction with a Vacation Home Rental Permit, will allow the owners of Assessor's Parcel Numbers (APN) 016-099-027, -036, -037, and 016-096-006 to rent out Single-Family Residential (SFR) homes on a transient or nightly basis; and

**WHEREAS**, pursuant to the California Environmental Quality Act (CEQA) an addendum to the Mono County General Plan EIR pursuant to CEQA section 15164 has been prepared; and

**WHEREAS**, the Planning Commission did on November 12, 2015, hold a noticed and advertised public hearing to hear all testimony relevant to the General Plan Amendment.

**NOW, THEREFORE, BE IT RESOLVED THAT**, in consideration of evidence and testimony presented at the public hearing and in accordance with Chapter 48 of the Land Use Element of the General Plan, the Planning Commission finds as follows with respect to the proposed GPA:

- 1. The proposed change in the land use designation is consistent with the text and maps of this General Plan.*

The project promotes the following General Plan's countywide policies: Objective D states the County should provide for commercial development to serve both visitors and residents; Policy 4 allows for the integration of small-scale commercial uses with associated residential uses; Objective H maintains and enhances the local economy; and Action 5.1 encourages and promotes the preservation and expansion of the county's tourist and recreation-based economy. The project provides for additional visitor lodging and encourages tourist-based economy and is consistent with the text and maps of the General Plan.

- 2. The proposed change in land use designation is consistent with the goals and policies contained within any applicable area plan.*

The project is located within the June Lake Planning Area. The June Lake Area Plan encourages providing a wide range of commercial and residential uses. The project provides for additional visitor lodging for the tourist-based economy by providing a variety of lodging options within the June Lake Loop.

- 3. The site of the proposed change in land use designation is suitable for any of the land uses permitted within that proposed land use designation.*

The project is not changing the underlying land use designation of Single-Family Residential (SFR), but is adding a Transient Rental Overlay District that will allow the addition of nightly rentals only in single-family dwellings. Chapter 25 in the Mono County General Plan allows

1 Transient Rental Overlay Districts to be applied to the SFR, RR, ER, MFR-L, and RMH land  
2 use designations. Chapter 26 in the Mono County General Plan requires that any homes being  
3 rented within the overlay district obtain a Vacation Home Rental Permit that will regulate  
4 parking, guide tenant occupancy, establish minimum health and safety requirements, and require  
5 24-hour property management, among other things.

4 4. *The proposed change in land use designation is reasonable and beneficial at this time.*

5 The proposed change to add a Transient Rental Overlay District is reasonable because the  
6 economy is visitor-oriented and this proposal helps to expand the variety of lodging options  
7 within June Lake.

7 5. *The proposed change in land use designation will not have a substantial adverse effect on  
8 surrounding properties.*

9 The application of a Transient Rental Overlay District on Assessor’s Parcel Numbers  
10 016-099-027, -036, -037, and 016-096-006 will not create undue hardship on adjacent  
11 properties. Single-family homes that are used seasonally or periodically by the owner, or are  
12 rented on a long-term basis, will still be used as single-family homes and in a manner that is not  
13 substantially different from how they would be used if they were occupied by full-time residents  
14 or long-term renters. The General Plan EIR analyzed land use designations at buildout assuming  
15 full-time occupancy. Transient rentals will have similar visual characteristics as a home having  
16 seasonal or full-time occupancy.

14 Furthermore, homes used as rentals within the district are subject to more-stringent restrictions  
15 than applicable to full time owner-occupied residences or residences subject to long-term lease.  
16 Specifically, these include restrictions on occupancy based on the number of bedrooms, parking  
17 and the requirement for oversight through local property management. These measures in  
18 conjunction with local property management being available 24 hours to regulate non-compliant  
19 activities of tenants will minimize visual and noise impacts far beyond residences having full-  
20 time occupancy. Moreover, Chapter 26 in the General Plan provides enhanced enforcement  
21 mechanisms to prevent non-permitted or unauthorized transient rentals within residential zones.

19 **NOW, THEREFORE, BE IT FURTHER RESOLVED THAT,** having considered the  
20 environmental addendum and taken into consideration all evidence and testimony before it, the Mono County  
21 Planning Commission, in conformance to the Mono County General Plan, Chapter 48, Section 48.020, hereby  
22 finds that the proposed changes are consistent with the General Plan and recommends that the Board of  
23 Supervisors approve General Plan Amendment 15-002 adding a Transient Rental Overlay District to  
24 Assessor’s Parcel Numbers 016-099-027, -036, -037, and 016-096-006.

23 **PASSED AND ADOPTED** this 12th day of November 2015, by the following vote of the Planning  
24 Commission, County of Mono:

25 AYES :  
26 NOES :  
27 ABSENT :  
28 ABSTAIN :

29 \_\_\_\_\_  
Rodger B. Thompson, Chair

30 Resolution R15-04  
Mono County Planning Commission  
November 12, 2015

Mono County Planning Commission

ATTEST:

APPROVED AS TO FORM:

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C.D. Ritter, Commission Secretary

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Stacey Simon, Assistant County Counsel

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**Mono County General Plan Land Use Amendment 15-002**  
**GENERAL PLAN EIR ADDENDUM #15-02**  
**State Clearinghouse #98122016**  
 ☞ **November 12, 2015** ☛

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**INTRODUCTION AND DISCUSSION OF PROPOSED MODIFICATIONS**

**1. Transient Overlay Districts**

Mono County has received applications to amend the General Plan Land Use Designation Maps to establish a Transient Rental Overlay District (TROD) to allow for nightly rentals. GPA 15-002 would establish a TROD on four parcels (APN 016-099-027, -036, -037, and 016-096-006) along Nevada St. at June Lake.

A subsequent Vacation Home Rental Permit will be required in accordance with Chapter 26 of the Mono County General Plan before commencing rentals of any dwellings. Vacation Home Rental Permits will address and regulate traffic and parking, guide tenant occupancy, establish minimum health and safety requirements, and require 24-hour property management, among other things.

**ENVIRONMENTAL REVIEW & CEQA PROVISIONS FOR PREPARATION OF AN ADDENDUM TO A FINAL EIR**

In 2001, Mono County certified an Environmental Impact Report (EIR) in conjunction with the adoption/amendment of its General Plan (SCH # 98122016) (the “General Plan EIR”). The General Plan EIR analyzed the impacts of designating areas of the county as SFR, ER, RR, or RMH, and assumed full buildout and use of those properties for all allowed uses. It also addressed and analyzed the impacts associated with the development of accessory dwelling units. As discussed below, an addendum to the General Plan EIR is the appropriate level of environmental review for the proposed amendments, because none of the conditions set forth in CEQA Guidelines section 15162 exist.

The California Environmental Quality Act (CEQA §15164[a]) states:

*“(a) The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.”*

In turn, §15162 states that preparation of a subsequent EIR is required where one or more of the following occurs:

*“(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:*

*(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*

*(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*

(3) *New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete shows any of the following:*

- (A) *the project will have one or more significant effects not discussed in the previous EIR or negative declaration;*
- (B) *significant effects previously examined will be substantially more severe than shown in the previous EIR;*
- (C) *mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*
- (D) *mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.”*

### **DISCUSSION OF IMPACTS**

Establishing Transit Rental Overlay Districts that would allow nightly rentals proposed in the aforementioned residential areas (the “Project”) does not require major revisions to the General Plan EIR because it does not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects; there are not substantial changes with respect to the circumstances under which the project is undertaken; and there is not new information of substantial importance, which was not known and could not have been known with the exercise of due diligence at the time the previous EIR was certified as complete which shows any of the following listed above under headings (3) (A) through (3) (D), for the following reasons:

1. The proposed Transient Rental Overlay Districts will not have a significant effect on the environment or increase the severity of previously identified significant effects. The creation of a Transient Rental Overlay District enables short-term rentals but does not expand the types of structures allowed or the manner in which the vacant parcels can be developed in the future. Future development will be limited to the residential densities established in the underlying land use designation. Additionally, General Plan Land Use Element Chapter 26 further governs how transient rentals are to be conducted, which places much-more-stringent regulations on rentals than that of a home occupied by a full-time resident.
2. Additionally, even following designation and permitting for transient rental use, there is no change to the underlying property use. Single-family homes that are now used seasonally or periodically by the owner, or are rented on a long-term basis, will still be used as single-family homes and in a manner that is not substantially different from how they would be used if they were occupied by full-time residents or long-term renters. The General Plan EIR analyzed land use designations at buildout assuming full-time occupancy. Since there is virtually no difference in the use of a home being occupied by a full-time resident and its use by household that rents the home on a short-term basis, the environmental impacts to the neighborhood and surrounding areas are no different. Transient rentals, due to the intermittent and temporary nature of their use, will not create any additional impacts on traffic or air and water quality. Furthermore, since the occupancy and parking will be much more narrowly regulated by a required property manager, the impacts on noise and street congestion will also be reduced. Accordingly, the impacts of the proposed project would not be increased beyond those analyzed in the General Plan EIR.
3. The establishment of Transient Rental Overlay Districts creates the possibility of a reduction in environmental impacts that exist at present, since transient uses would be subject to more-

stringent restrictions than are applicable to full-time owner-occupied residences or residences subject to long-term lease. Specifically, these include restrictions on occupancy, parking and the requirement for oversight through local property management. Currently, there are no restrictions on how many occupants can use a single-family home, but the occupancy in homes used as transient rentals will be restricted by the number of bedrooms and/or any septic system limitations. Parking requirements will be site specific and not only will have to meet the General Plan residential parking standards, but will be limited to on-site parking only. These measures in conjunction with local property management being available 24 hours to regulate noncompliant activities of tenants will minimize visual and noise impacts far beyond residences having full-time occupancy.

4. The change to the regulations affecting the size and permitting requirements of accessory dwelling units will not cause an environmental impact. The change reduces the potential intensity of allowed development and environmental impacts on parcels less than one acre in size.

### **CONCLUSION**

CEQA Sections 15164(c) through 15164(e) states, *“An Addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration. The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project. A brief explanation of the decision not to prepare a subsequent EIR pursuant to §15162 shall be included in an addendum to an EIR, the lead agency’s findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.”*

The information presented above indicates that the proposed General Plan Amendment does not represent a substantive change to the number of significant effects, severity of effects, or the feasibility and/or effectiveness of applicable mitigation measures or alternatives previously addressed in the General Plan EIR. Therefore, a subsequent EIR is not required because none of the conditions set forth in CEQA Guidelines section 15162 exist for this project.

# MONO COUNTY PLANNING COMMISSION

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PO Box 347  
Mammoth Lakes, CA 93546  
760.924.1800, fax 924.1801  
commdev@mono.ca.gov

PO Box 8  
Bridgeport, CA 93517  
760.932.5420, fax 932.5431  
[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

## **Comment Letters General Plan Amendment 15-002 November 12, 2015**

**NOTE:** Comment letters are arranged in order received, not alphabetical.

Ross & Lynda Biederman

Jil Stark

Patrick & Catherine Hoefler

East Shore Silver Lake Improvement Association

Dennis Lindsay

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DISTRICT #1  
COMMISSIONER  
Mary Pipersky

DISTRICT #2  
COMMISSIONER  
Rodger B. Thompson

DISTRICT #3  
COMMISSIONER  
Daniel Roberts

DISTRICT #4  
COMMISSIONER  
Scott Bush

DISTRICT #5  
COMMISSIONER  
Chris I. Lizza

October 29, 2015

C.D. Ritter  
Secretary to the Planning Commission  
P.O. 347  
Mammoth Lakes, CA 93546

RECEIVED 19  
OCT 29 2015  
MONO COUNTY  
Community Development

Re: General Plan Amendment 15-001 (b) Transient Rental Overlay District  
June Lake APNs 016-099-027,-036,-037,-041 and 016-096-06

Dear Members of the Planning Commission:

We are 22 year full time residents of the Clark Tract and wish to voice strong disagreement with the proposed Transient Rental Overlay District involving the above referenced properties on Nevada Street. This is our home. To allow transient rentals in this area betrays residents and allows a few home owners - who knowingly purchased homes in a non-rental area - to alter living conditions for everyone else living in the neighborhood. This is not a victimless action: those of us who live here must tolerate the tourist activity while rental landlords are elsewhere and happily oblivious to the issues created.

We recognize the obvious: guest renters are here for vacation and holiday activity. To approve this TROD request essentially creates a hotel zone within the Clark Tract that will alter the quality of life promised by living in a non-rental single family residential neighborhood.

Mammoth Lakes' recent vote on Measure Z clearly illuminates the public's wish to protect and preserve private neighborhoods. The June Lake Clark Tract is no different. County Supervisors, the June Lake Citizens Advisory Committee, and the majority of citizens attending public meetings have agreed that the Clark Tract is inappropriate for an Overlay District. It was determined that the roads are private, not well maintained and dangerous for rentals.

Of note, all Clark Tract roads are poorly maintained private roads for which Mono County has refused to provide maintenance nor snow removal. If an Overlay District is approved the County must consider incurred liability. By allowing vacation rentals on the Nevada Street dirt road the County risks lawsuits by inexperienced snow drivers in winter and pothole slip and fall suits by pedestrians. If the County is not willing to maintain the roads, then they should not allow rentals and collect TOT money on those same roads.

A quick drive through the area will reveal the obvious inadequacy of parking space and the danger to drivers attempting to navigate narrow, slippery and steep roads immediately connected to the proposed Overlay District. The single lane primary exit route from the upper portions of the Clark Tract-which is an ice sheet during the winter- descends steeply and ends onto the Nevada Street Overlay District road. It is a frequent site of stuck or sliding out-of-control vehicles with a well-deserved reputation of danger in June Lake. Visiting pedestrians often walk these roads oblivious to this danger. Nevada Street slopes upward to this "T" intersection and is also significantly icy.

We implore the Planning Commission to please protect and respect the non-transient rental zoning of the June Lake Clark Tract. Please do not open the gates to such duplicity and disregard for existing zoning ordinances and home owners who chose to live in a zoned non-rental neighborhood.

Respectfully,

*Ross E Biederman, Lynda G Biederman*

Dr. Ross and Lynda Biederman  
140 Wyoming Street  
June Lake, CA 93529  
760-648-1017

**CD Ritter**

---

**From:** Jil Stark <stark@fairplex.com>  
**Sent:** Monday, November 02, 2015 5:13 PM  
**To:** CD Ritter  
**Cc:** Scott Burns  
**Subject:** TROD application on Nevada Street in June Lake

RECEIVED  
NOV 02 2015  
MONO COUNTY  
Community Development

Dear members of the Planning Commission.

First, I am writing to you as a member of the June Lake CAC. A number of years ago we had a presentation of TRODS at a CAC meeting. At this time I believe it was implied by the County that a TRODS would not be allowed in the Clark or Peterson Tract. I do however clearly remember that our Supervisor, at the time, made it very clear that neither tract would be considered. Nevada Street is in the Clark Tract. It is very clear that the majority of residents in this single family area do not want the area turned into a weekend hotspot. There are two homes in this tract that have been renting illegally for about six years, both have received numerous complaints about this issue, but in this lengthy amount of time, both are still renting. As a member of the CAC I want to support the residents of this tract, who fear that if Nevada Street becomes a legal renting area the situation will move to include more homes in their area.

Second, as a resident of a home on the northern end of Nevada Street, I want to know what are the legal implications of an accident on a road that is not maintained by the County? The southern end of this street is badly engineered, it is not engineered at all. At the end of the paved entrance to the dirt road there is a small hill. If it rains, or if snow melts, water runs down this hill. In the winter the hill becomes icy. One residence next to the hill has received water damage. The road receives very little maintenance. It is posted at 5 MPH to keep the dust away from the homes and for safety reasons, it is a narrow dirt road. The four homes in the applied for TROD sit right on this road with minimum setback.

Third, there is the whole issue of elected officials applying TRODS to areas where the majority of residents don't want them. Mammoth should send a clear message to the members of the Commission and to the County. Then there is Santa Monica that passed strict short term rental rules in May, and right now San Francisco is voting tomorrow on a measure targeting short term rentals. These ballot votes are costly and I hope unnecessary in our beautiful part of the world.

Most Sincerely,  
Jil Stark, 929 Nevada Street

Sent from my iPad

RECEIVED

NOV 02 2015

MONO COUNTY  
Community Development

**CD Ritter**

---

**From:** PC <pch1951@msn.com>  
**Sent:** Monday, November 02, 2015 12:47 PM  
**To:** CD Ritter; Scott Burns; Lynda Biederman; blake.sibla@verizon.net; Jil Stark; Paul McCahon; Rod Goodson; dlindsay@juno.com; Nick Criss  
**Subject:** TROD application Nevada street Clark Tract  
**Attachments:** BOS Petition pg1 of 5.pdf; BOS Petition pg2 of 5.pdf; BOS Petition pg3 of 5.pdf; BOS Petition pg4 of 5.pdf; BOS Petition pg5 of 5.pdf

Dear members of the Planning Commission,

Again we are faced in the Clark Tract with another TROD application. We do not understand why the County keeps pursuing these TRODS when they already know the people in the Clark Tract are against it for many reasons. Some reasons are the roads and upkeep there of which the County does nothing to maintain and the roads are very dangerous for people who do not know and understand the roads especially in the winter. At last meeting with the Planning Commission I wrote a letter which I apologized for some of the strong things I said about the County...I guess I was wrong to apologize. With the new applications we have all the same problems and issues as stated prior. It appears the goal of the County is to create one large motel/hotel in all of June Lake. I do not know if the current applicants have been renting illegally or not but that is not the real issue. Attached is the petition that homeowners signed last time this was brought to the Planning Commission. Many on the petition are second homeowners who want to maintain their lifestyle and what they bought into. I handed the petition over to Blake Sibla who may have many more additional names to add from the Clark Tract.

We should not have to revisit this issue whenever someone decides to file an application. The Clark Tract should be ruled by the County as a no vacation rental Tract. A couple of TRODS have already sneaked into being approved because the way the County wrote the code. These TRODs too should be disapproved. We believe the County has acted on behalf of Mammoth Mountain and not the citizens of the county by the insidious approach it has taken with TRODs. It is time the County start working for the people of the community.

I hope you consider the facts and not approve the current applications in the Clark Tract. If you decide to approve then you should just approve the entire Tract open to rentals and get rid of this hodge podge approach. I will be unable to attend this meeting because I will be out of town but I hope you read and consider what we had to say.

Thanks,

**Patrick & Catherine Hoefler**

**Patrick & Catherine Hoefler**

**8 Wyoming Street**

**June Lake, CA 93529**

**Secretary to the Planning Commission**

**P.O. Box 347**

**Mammoth Lakes, CA 93546**

**RE: General Plan Amendment 15-001(b)**

**Dear members of the Planning Commission**

- **The County has failed the homeowners in the Clark Tract except for a select few who have violated the law for years**
- **And the County is tearing apart the heart and soul of our community**

**Where most home owners of the tract have followed the local laws and ordinances a select few have been allowed to illegally rent their properties for years to the detriment of home owners in the tract and now the county is about to reward them for their behavior.**

**We believe the county has intentionally turned a blind eye to the illegal activity because in over seven years of us complaining to the county with rental activity almost weekly the county inspector has never caught them renting. Even though the rentals are listed on a number of internet sites i.e. Vacation Rentals by Owner which includes comments from previous renters and the county has been powerless in enforcing the laws. The county has one inspector for all of Mono County and the inspector cannot inspect or try to enforce laws and regulations throughout the entire county by himself. The county has failed to adequately staff the inspector's office and require that office to enforce the laws and regulations.**

**Another example of how the county has failed our tract is there appears to have been no impact studies on the community. The tract has no association and everything that is done is done voluntarily by the home owners. Snow removal is done through voluntary contributions each year. A few citizens have taken upon themselves to acquire asphalt and fill our pot holes in an attempt to maintain the roads. My**



wife and I have gone to Lee Vining over six different years and purchased the asphalt and had it placed in our pickup truck and we would go fill the pot holes from the Whispering Pines all the way to our house on Wyoming Street. Many people have told me they thought it was the Whispering Pines doing the repairs but on the contrary they contribute nothing...I understand they do not even contribute for snow removal.

Now if one takes a look at the amount of additional traffic created by this rental activity it is easy to see that our roads deteriorate much faster with the additional amount of vehicles driving on our roads. If there are only six properties that are allowed to rent and each rental unit has an average of four cars that equates 24 additional vehicles going back and forth all day and night long plus the vehicles from the maids, managers, garbage, spa, and guests. This impacts the entire tract not just those next to the rental units. I believe those citizens who like us have made voluntary repairs to the roads will finally say why are we doing this for the renters. At that point the roads will be totally destroyed. And when it comes to our roads the county uses the excuse it is a private tract.

The process that the county employs to inform homeowners is seriously flawed. Only those owners next to the property in question are notified. The rest of the tract is not informed although the entire tract will be impacted. And one has less than two weeks to respond. The county is slicing out small pieces in the tract where they are changing the zoning but the zoning next to and around the tract remain the same. The tract will end up with a hodge podge of zoning where parts are commercial and other parts are residential. This is ridiculous! I have one petitioner (from an application on Washington Street that was approved) who said he was notified but he was gone on vacation and didn't know until he came back which was already too late. Another petitioner told me they were informed but had just purchased their house and did not know what was going on. This is no way to treat the law abiding homeowners of the tract. Some homeowners who when constructing or purchasing their homes had the intent up front to rent out their homes knowing the zoning was residential and rentals were not allowed. If they cannot afford their home then they should sell.

These changes in our tract will in all likely hood remain for the life of the tract...forever. We placed our property on the market because of what the county is doing. We had one renter next door who told me they were really interested in our property but decided that no way did they want to own another property next to a rental because they had gone through that before. So we have languished on the market for three years with no luck at all. Yes we are priced appropriately and will take a huge loss when and if it sells.

The sense of community is being taken away from us by the county. One likes to know who their neighbors are... not go outside every other day and one has a new crowd of neighbors and vehicles who cares less about our community. Community is our heart and soul and this is being destroyed.

We are helping subsidize the rentals and the businesses in June Lake. We thought this was a conservative county so why don't we let capitalism and the market place do its thing without us home owners subsidizing these people. It is neither our fault nor our responsibility if a business owner makes wrong decisions or is just incompetent.

The safety and liability issues that could arise are tremendous. It only takes one person to be injured on ones non rental property even if they are trespassing and be sued and held liable.

The county and the current and last supervisor have failed us personally. I communicated and tried to work with both supervisors but I noticed quickly what their agendas were...and those agendas were not for all the people but only for select people who violated the laws.

The county states this overlay is to help improve the economic viability of June Lake. This is totally inaccurate because it creates no additional economic viability for June Lake. Here is why...many of the renters I have talked to had previously rented rooms at many of our local motels including the double eagle. It's called spread the wealth away from local business owners and place that money in the pockets of home owners.

It's all about beds! There had been a push by Rusty Gregory along with a few of our leading business owners to create more beds. Guess what...if the mountain gets snow or would make snow the people would come and the beds would come naturally without creating havoc by allowing rentals in a residential private tract. More beds do not bring more people and in turn bring more snow to the mountain it is just the opposite. This is simple economics. I wonder how much more money these motel owners would have made if illegal rentals were not occurring? Especially over the past four years! When an entrepreneur sees an opportunity to make money the beds will be created.

Transient Rental Overlay has been codified now for about two years. In the code it states any violation of the code will incur a \$1000 fine for the first rental and \$2000 for each rental thereafter. There has been no enforcement of this new code since it was codified. What makes the county think that if these homes are approved that there would be enforcement of the new code since the county has never enforced any code relating to illegal renting?

My home will be surrounded by rental homes with at least three homes adjacent to my property, and one property where I provided an easement to cross my property to get to the paper road to construct his house on the other side of the paper road. According to the county attorney I was told that paper roads not used as a road would be shared for use by adjacent property owners. So I have property on the other side of the easement road that cuts through my property and fifty percent use of the paper road. However, the Shea property took over the entire paper road and turned it into his driveway for his renters and the county refusing to rectify the matter. This is not fair and in total contravention of what the county attorneys' stance is on paper roads. Neither Shea or his property manager know where the property limits are.

- Problems we have encountered because of illegal rentals:

Physical and personal intimidation.

Beer bottles, cans and other garbage thrown onto our property.

Garbage placed outside for the animals even though I have read the rules provided to the renters to not place garbage outside. It happens anyway and our bears are then exterminated!

We have had RV's, campers, boats, trucks, and cars parked on our property and have counted as many as sixteen cars staying at Shea's property where they are parked on the road, on our property, and other owners property.

I have had parts of our driveway damaged from renters who use chains to get up the hill or damaged in the summer when the asphalt warms up the big trucks tear up the asphalt.

Most of these rental units have no land for the renters to play so they come onto my property.

Renters slide down above my property and onto my driveway which in good winters can be as high as eight feet. They have damaged or destroyed numerous young trees I had planted where they do their sledding.

I have had rocks thrown onto my roof of the house and chunks of loose pavement from the road dug up and thrown by children all over my driveway while their mother was watching.

Renters have entered my driveway and laid huge patches of rubber.

We have found ski boots thrown high up into the Juniper tree.

Renters have come to our door at all times asking if we had the key to the rental unit or asking for assistance to jump their battery or could they borrow a shovel or our snow blower.

Parties late at night ending up on the road under our bedroom keeping us up.

Wild flowers which we have tried to maintain are trampled or cut on our property.

Pets allowed doing their thing or running loose on my property and they do not pick it up.

About half of the renters speed through tract and right through my property on the easement road where most home owners do not speed because they know the dangers that exist on such roads as ours in the Clark tract.

Many renters believe they are renting in the wilderness and have the right to go anywhere not realizing these are really private properties.

In summary:

The illegal renters have joined with the county to bully the entire tract in getting what they want by pulling the blanket over to them...this is not fair.

There was no county enforcement before the new code and no enforcement by the county after the new code.

The code is forcing neighbors to police other neighbors which in turn creates hate and discontent in the community.

The increased wear and tear on the Clark Tract roads would be borne by all homeowners on a voluntary basis and therefore our infrastructure would fall apart in short order.

The current owner and manager of the Shea property on California St. have caused physical and personal intimidation therefore how could we ever complain to either one about their renters' violations per the code?

Once there is a violation that impacts the neighbor of the rental unit it is already too late...the harm has been done!

The safety and liability concerns of the homeowners have not been addressed and these are serious concerns.

This activity will not create any additional economic benefit as a whole but in fact just transfer revenue from the motel owners to the homeowners renting their properties.

The process the county is employing in notifying homeowners within 100 feet of the proposed rental overlay is flawed because the entire community is impacted because of the roads, increased traffic, and noise.

What was once a nice friendly community has changed to seeing new strangers every week who do not care about the community and have no interest in the community.

We do not know who these renters are which creates an unsafe feeling throughout the community let alone trespass, vandalism, and possibly home break-ins.

Most owners purchased their property knowing the zoning was residential and knowing that would mean no commercial activities would take place around their homes.

Of the five proposed homes to be added to this overlay at least two of them I have had problems with their renters and their owners refusing to fix the problem.

The list of problems encountered shown above are still continuing to this day.

Our property is too close to three of the proposed properties.

Sincerely,

Patrick & Catherine Hoefler

Patrick & Catherine Hoefler

8 Wyoming Street

June Lake, CA 93529

Secretary to the Planning Commission

P.O. Box 347

Mammoth Lakes, CA 93546

RE: General Plan Amendment 15-001(b)

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I have had parts of our driveway damaged from renters who use chains to get up the hill or damaged in the summer when the asphalt warms up the big trucks tear up the asphalt.

Most of these rental units have no land for the renters to play so they come onto my property.

Renters slide down above my property and onto my driveway which in good winters can be as high as eight feet. They have damaged or destroyed numerous young trees I had planted where they do their sledding.

I have had rocks thrown onto my roof of the house and chunks of loose pavement from the road dug up and thrown by children all over my driveway while their mother was watching.

Renters have entered my driveway and laid huge patches of rubber.

We have found ski boots thrown high up into the Juniper tree.

Renters have come to our door at all times asking if we had the key to the rental unit or asking for assistance to jump their battery or could they borrow a shovel or our snow blower.

Parties late at night ending up on the road under our bedroom keeping us up.

**Wild flowers which we have tried to maintain are trampled or cut on our property.**

**Pets allowed doing their thing or running loose on my property and they do not pick it up.**

**About half of the renters speed through tract and right through my property on the easement road where most home owners do not speed because they know the dangers that exist on such roads as ours in the Clark tract.**

**Many renters believe they are renting in the wilderness and have the right to go anywhere not realizing these are really private properties.**

**In summary:**

**The illegal renters have joined with the county to bully the entire tract in getting what they want by pulling the blanket over to them...this is not fair.**

**There was no county enforcement before the new code and no enforcement by the county after the new code.**

**The code is forcing neighbors to police other neighbors which in turn creates hate and discontent in the community.**

**The increased wear and tear on the Clark Tract roads would be borne by all homeowners on a voluntary basis and therefore our infrastructure would fall apart in short order.**

**The current owner and manager of the Shea property on California St. have caused physical and personal intimidation therefore how could we ever complain to either one about their renters' violations per the code?**

**Once there is a violation that impacts the neighbor of the rental unit it is already too late...the harm has been done!**

**The safety and liability concerns of the homeowners have not been addressed and these are serious concerns.**

**This activity will not create any additional economic benefit as a whole but in fact just transfer revenue from the motel owners to the homeowners renting their properties.**

**The process the county is employing in notifying homeowners within 100 feet of the proposed rental overlay is flawed because the entire community is impacted because of the roads, increased traffic, and noise.**

**What was once a nice friendly community has changed to seeing new strangers every week who do not care about the community and have no interest in the community.**

**We do not know who these renters are which creates an unsafe feeling throughout the community let alone trespass, vandalism, and possibly home break-ins.**



Most owners purchased their property knowing the zoning was residential and knowing that would mean no commercial activities would take place around their homes.

Of the five proposed homes to be added to this overlay at least two of them I have had problems with their renters and their owners refusing to fix the problem.

The list of problems encountered shown above are still continuing to this day.

Our property is too close to three of the proposed properties.

Sincerely,

Patrick & Catherine Hoefler



This is addressed to the Planning Commission concerned about the Transient Rental Overlay.

We who are homeowners in the Clark Tract of June Lake are opposed to any transient overlay in our community because of the increased wear and tear on our fragile roads, garbage, parking, and trespass.

Name	Address	Phone #	
Dwayne Wallaten	32 W Washington	760 648 7257	Res,
Robert Munking	133 Washington	760 648 9936	Res,
Joan Hammetton	60 Wyoming	<del>760 648</del> 648 7678	2nd
Pat Harp	8 Wyoming	760-648-1659	Res
Catherine Hoop	"	"	"
Gill Wallentune	32 Washington St.	760 937-5597	Res
Roxanna Faden	82 Waterfall St.	760 648-7898	
Tony FODERH	82 Waterfall St.	760 648-17898	
Justin Byers	151 Wyoming St.	678-617-9981	2nd
Denise M. Craig	64 California St.	760-648-1135	Res.
John Elyworth	108 CA St	760 914 0094	
Bill Reym	14 Wyoming st.	949-499-5672	2ND
Wally	105 Washington St	760-648-1085	
Paul Berding	105 Washington St	760-648-1085	
Blake Debra	136 North View Lane	760 937-5910	
Carol Debra	136 North View Lane	760-937-1597	
LYNN DORAN	39 WASHINGTON ST	310-377-1757	



This is addressed to the Planning Commission concerned about the Transient Rental Overlay.

We who are homeowners in the Clark Tract of June Lake are opposed to any transient overlay in our community because of the increased wear and tear on our fragile roads, garbage, parking, and trespass.

Name	Address	Phone #
Cynthia Hous Meal Tray	21 Washington St. June Lake Ca	760-473-2732 "
John M. J.	50 S. Texas St.	760-914-0796
Egubekha Baer	36 Wyoming St.	760 648-7565
William C. Baer	36 Wyoming St	760 648-7565
Bob Hatty	60 Wyoming St	760 648 7678
Pat Hally	60 Wyoming St.	760 648 7678
Dennis Lindsay	5424 Boulder Dr.	760 648 7686
Rod Goodson	100 Mountain View Lane	760-533-1252
Jill Malone	100 Mountain View Lane	760-533-3188
Paul McCallan	130 W. Steelhead Rd	760-914-0079
AL Heinrich	209 Deer Meadow Lane	760 648-1914
Goss Biederman	140 Wyoming St	760 648-1017



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consulate

cousins

Credit Agricole

Delta 1

dominique

Eldorado 9

fabie Bardin

folley sophie

Fred

Greentrees Hydroponics

HP

Isabelle

Janmie Nash

### Clark Tract Overlay



Lynda Biederman (lgbiederman@yahoo.com)

To: pch1951@msn.com

Parts of this message have been blocked for your security. Show content | I trust lgbiederman@yahoo.com content.

I Lynda Biederman am opposed to allowing rentals in the Clark Tract. I live at 140 Wyorr in the Clark Tract as a full time resident of Jt and strongly believe that transient rentals in Tract would be dangerous due to the private roads and hills.

Lynda Biederman

**Lynda Biederman**

REALTOR® - Associate

**JUNE LAKE PROPERTIES, INC.**

BRE License #01444897

lgbiederman@yahoo.com

<http://junelakerealestate.com>

(760) 648-7505 Office

(760) 914-0950 Cell

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Escape the Crowds, Discover the June Lake Loop!

Information Deemed Reliable, but Not Guaranteed





Rentals

601club@adelphia.net (601club@adelphia.net)

Add to contacts

5/05/15

[Keep this message at the top of your inbox]

To: pch1951@msn.com

601club@adelphia.net

I trust 601club@adelphia.net. Always show content.

We do not support another rental property on Wyoming St in June Lake.

Gregory & Marsha Bock

128 Washington St

June Lake, CA 93529



Dear Patrick and  
Catherine,

Thanks for the heads up on this issue. We are strongly against a "Transient Rental Overlay District". The hill above our cabin is already a disaster in winter. Please include us in opposition to this crazy idea.

Fin and Winnie Martin

h-310--541-1889

c-310-291-1999



# East Shore Silver Lake Improvement Association

*(ESSLIA) Silver Lake Tract*

Mark Shoemaker  
President

Jil Stark  
Exec. Vice President

Kris Capra  
Vice President

November 3, 2015

Mono County Planning Commission  
Secretary to the Planning Commission  
PO Box 347  
Mammoth Lakes, CA 93546

RECEIVED  
NOV 04 2015  
MONO COUNTY  
Community Development

Subject: Transient Rental Overlay District (TROD)  
Along Nevada Street & S.R. 158 at June Lake

Dear Sirs,

I am currently President of the East Shore Silver Lake Improvement Association (ESSLIA). We have 27 Forest Service cabins along Nevada Street on the shore of Silver Lake. These cabins were built from 1924 to 1953. After the first few cabins were established in 1924 our Association developed a small road now known as Nevada Street, a 1.5 mile road beginning at Highway 158. Since that time the 27 cabin owners of ESSLIA have been the main contributors to the upkeep of Nevada Street. We are now faced with a proposal to amend the general plan use designated map to add 6 parcels along Nevada Street to the TROD. We formally oppose this amendment to the general plan for the following reasons:

1. Nevada Street was not nor ever has been engineered for heavy traffic flow. It was originally engineered for 6-7 months of use for the cabins along Silver Lake between April and November, before the snow pack. We feel increasing the transient flow of traffic will cause serious damage to the road, especially during the winter months. This road was not engineered to professional standards, and as a consequence is quite hummocky, and drains poorly, making it slick, muddy and dangerous in wet seasons.
2. The parking situation is currently not optimized for the current residents, which causes congestion from a passage and safety perspective. Section 25.050.4 requires that "...property must be certified by the CDD as complying with parking requirements..." which is currently not the case.
3. Section 26.010 B implies that expanding transient rentals will provide an economic benefit to the community and to Mono County due to increased TOT receipts, however, this will not be the case. It should be noted that a review of the existing June Lake Community already has a surplus of rental properties available. An additional increase of rental properties will not, in aggregate, create more rental income, and thus will not create an economic benefit for all property owners. Likewise, Mono County will not benefit, since this amendment will have no impact on the total Transient Occupancy Tax collected. While the addition of certain new rental properties could benefit those specific owners, it will simply take existing rental income from other property owners in the June Lake community.

ESSLIA has long been a strong economic and philanthropic contributor to the June Lake Community. On behalf of ESSLIA, we have conveyed our concerns and appreciate the opportunity to be heard on this important issue.

Sincerely,

A handwritten signature in black ink that reads "Mark Shoemaker". The signature is written in a cursive, flowing style.

Mark Shoemaker  
President, ESSLIA

Nov 6, 2015

RECEIVED  
NOV 06 2015  
MONO COUNTY  
Community Development

Mono County Planning Division  
Courtney Weiche  
PO Box 347  
Mammoth Lakes, CA 93546

RE: Transient Rental Overlay Districts

Gentlemen:

I am a homeowner in the Clark Tract and have concerns about any TROD in the Clark Tract. I have been the victim of illegal renting in the area for years with noise and property damage. The people applying for this TROD always try to pass this through in October because most of the part time homeowners are not in town and they hope to sneak it through. This is not right, nor fair to the homeowners that bought or built their homes thinking they are in a Single Family Home location and now they are in the middle of the Hotel District. Their property values are going down and that is a loss to the homeowners and the county over time. All the issues we had with the last request are the same, i.e., the private roads cannot handle the traffic, and there is NO snow removal. Is the county going to assume the legal liability? This will be very bad for the County and the homeowners. There will be NO net gain to the County in TOT Tax because they will be taking business from our local hotels and motels. The other issue is will they pay the TOT Tax? How does the county enforce this? Any cost for enforcement will be greater than any gain. It is much better to trust our local businesses than to try to collect from private owners. To net it out the local homeowners have to put up with part time renters and the County does not gain anything but liability. Why would we want to do this?

Yours truly,

Dennis E. Lindsay  
5424 Boulder Drive (Hwy 158)  
June Lake, CA 93529

# Mono County Community Development Department

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Mammoth Lakes, CA 93546  
(760) 924-1800, fax 924-1801  
commdev@mono.ca.gov

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November 12, 2015

**To: Mono County Planning Commission**

**From:** Wendy Sugimura, Associate Analyst  
Scott Burns, Director  
Courtney Weiche, Associate Planner

Brent Calloway, Associate Analyst  
Gerry LeFrancois, Principal Planner  
Nick Criss, Analyst II - Code

**Re: Public Hearing on the 2015 Mono County Regional Transportation Plan, General Plan, Countywide Integrated Waste Management Plan, and Noise Ordinance Updates and Repeal of the Conway Ranch Specific Plan, and Final Environmental Impact Report**

### RECOMMENDATIONS

1. Conduct a public hearing on the project and the associated Final Environmental Impact Report (FEIR), and receive any additional public comments;
2. Deliberate the project, Final Environmental Impact Report, and additional public comments, and make any desired modifications; and
3. Following the public hearing and project deliberations, adopt Resolution 15-05 recommending that the Board of Supervisors certify the Final EIR for the 2015 Mono County Regional Transportation Plan, General Plan, Countywide Integrated Waste Management Plan, and Noise Ordinance Updates (the "2015 Updates"); approve and adopt the Mitigation Monitoring and Reporting Plan, and adopt the 2015 Updates and repeal the Conway Ranch Specific Plan.

### FISCAL IMPACT

Completion of the 2015 Updates has no additional impact to the General Fund. The Regional Transportation Plan, General Plan Update, and Noise Ordinance were funded with a \$326,514 Sustainable Communities Grant from the State of California, and transportation funding via the Local Transportation Commission. Fiscal impacts of implementation are to be determined based on specific programs undertaken.

### BACKGROUND

The 2015 Mono County Regional Transportation Plan (RTP), General Plan, Countywide Integrated Waste Management Plan (CIWMP), and Noise Ordinance Updates (hereinafter the "2015 Updates"); and repeal of the Conway Ranch Specific Plan constitute the project. The Draft Environmental Impact Report (DEIR) on the project was released for public review and comment on July 31, 2015. The DEIR comment period closed September 29 at 5 pm after a 60-day review period, the maximum allowable time under state law. The Notice of Availability and Notice of Completion for the project and DEIR were sent to all required entities pursuant to Government Code (GC) §65352, air quality policies were sent to the Great Basin Unified Air Pollution Control District pursuant to GC §65302.1, and the Safety Element was distributed pursuant to GC §65302.5.

The 2015 Updates and repeal of the Conway Ranch Specific covered by the DEIR includes a comprehensive update of the Mono County General Plan including appendices and Land Use redesignation for Conway Ranch; the Regional Transportation Plan (RTP) which also includes the Regional Blueprint, Bicycle Transportation Plan, and Trails Plan as appendices; three elements of the Countywide Integrated Waste Management Plan (CIWMP); Noise Ordinance update; and repeal of the Conway Ranch Specific Plan. All project components cover the unincorporated areas, and the RTP and CIWMP also apply to the town of Mammoth Lakes to varying degrees. The RTP was updated through community-based efforts with Regional Planning Advisory Committees (RPACs) for the unincorporated area and language provided directly by the Town, and the CIWMP was vetted through the Solid Waste Task Force which includes town representatives. The



General Plan and RTP update continue to focus growth in and adjacent to existing communities to avoid growth in environmentally sensitive areas and agricultural lands, and support sustainable, healthy, and livable communities. The 2015 Updates will replace the current General Plan elements, RTP, CIWMP and Noise Ordinance.

The Planning Commission conducted a workshop on the project on September 10, 2015 (see Attachment 1), and the Board of Supervisors held a workshop on September 15. During the months of August-October, the following outreach meetings were held:

- Eight Regional Planning Advisory Committees (RPACs): Antelope Valley, Bridgeport, Mono Basin, June Lake, Long Valley, Paradise, Benton/Hammil, and Chalfant;
- Local Transportation Commission in the town of Mammoth Lakes;
- A special meeting in Mammoth Lakes for town residents;
- Mono County Collaborative Planning Team; and
- Three separate Spanish outreach meetings: Bridgeport, Lee Vining, and Mammoth, with translation provided by Public Health Department staff.

It should be noted that the vast majority of public outreach occurred during policy development through numerous meetings between 2010 and 2015. Feedback from various planning initiatives, area plan updates, community conversations, development projects, and interactions with other agencies were incorporated, positioning public engagement as a driver of the updates. The meetings listed above were to review the consolidated product, with relatively little “new” information, and this approach appears to be reflected in the relatively low number and typically positive/helpful comments received.

The 2015 Updates and FEIR for this public hearing are available by calling 760.924.1800 or online at <http://monocounty.ca.gov/planning/page/mono-county-general-plan-update>.

The anticipated adoption schedule provides for a public hearing by the Planning Commission in November and a public hearing with the Board of Supervisors in early December. The Local Transportation Commission must adopt the RTP update before December 15 in order to submit for project funding under the State/ Regional Transportation Improvement Program (STIP/RTIP).

## **DISCUSSION**

### Modifications to the Project

A total of 14 letters was received during the DEIR comment period, with two more letters received after the deadline. Separate from the EIR, Government Code §65302.5 requires the County to send the draft Safety Element to the California Geological Survey of the Department of Conservation, the California State Board of Forestry and Fire Protection, and all local fire protection agencies. Only the Board of Forestry and Fire Protection provided a comment letter, which the Mono County Board of Supervisors is required to consider prior to adoption of the Safety Element and communicate in writing its reasons for not accepting any of the recommendations.

Responses to all letters received during the EIR comment period, including late letters received before Oct. 31, are provided in the FEIR. Although technically only responses to environmental issues are required under the California Environmental Quality Act (CEQA), the County chose to use the FEIR as a forum to respond to all comments. Therefore, detailed explanations and modifications regarding the goals, objectives, policies, actions, associated programs, maps and figures of the 2015 Updates are included in the FEIR. A “track changes” version of these modifications to the applicable General Plan elements and RTP are available online at <http://monocounty.ca.gov/planning/page/mono-county-general-plan-update>. Changes were limited to the following policy areas:

- Biological Resources: Sierra Nevada bighorn sheep, trash receptacles related to black bear issues, Witcher and Birch creeks in Swall Meadows, and eradication of non-native plants;
- Hydrology, Water Quality, Water Supply: June Lake water supply, AB 685 reference, collaboration on community infrastructure needs, and impacts of livestock grazing; and

- Regional Transportation Plan and Circulation: vehicle miles traveled, Mono Basin bike trail, and numerous minor technical edits and clarifications.

As noted above, the California State Board of Forestry and Fire Protection commented on the County's Safety Element separate from the environmental process, and the County has drafted a response (see Attachment #2). The majority of comments are handled through future planning efforts, including updates to the Emergency Operations Plan and Community Wildfire Protection Plan, and no policy modifications are required at this time.

In addition, Supervisor Johnston wrote a letter to the Planning Commission and submitted an email during the EIR comment period, requesting consideration of specific issues. Staff has provided a policy evaluation of these issues and, in some cases, recommendations (please see Attachment #3).

No comments were received specific to the Countywide Integrated Waste Management Plan (CIWMP), which has been recommended for approval by the Solid Waste Task Force.

County Counsel suggested minor text edits to the draft Noise Ordinance. A "track changes" version of the Noise Ordinance is available online at <http://monocounty.ca.gov/planning/page/mono-county-general-plan-update>.

#### Compliance with the California Environmental Quality Act

Sandra Bauer of Bauer Planning & Environmental Services Inc., is the lead consultant for the environmental documentation and compliance with the California Environmental Quality Act (CEQA). James Paulus, Ph.D., conducted a Biological Assessment for specific areas of the county in support of the EIR and to facilitate future streamlining, provided policy development recommendations, and responded to comments specific to biological resources. Jeff Henderson with Michael Baker International (formerly PMC) prepared the Resource Efficiency Plan for the County in support of General Plan policies, the EIR, and to facilitate future streamlining under CEQA §15183.5, and assisted with response to comments related to air quality and greenhouse gas emissions.

Sandra Bauer will present the CEQA review process to the Commission, including the timing, Scoping and Notice of Preparation, the Draft Environmental Impact Report (DEIR), DEIR comments and County responses, and the Final EIR, including significant and unavoidable environmental effects, areas of controversy, and the alternatives considered.

This staff report has been reviewed by the Community Development director. Please contact Wendy Sugimura at 760.924.1814 or [wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov) with any questions.

#### **Attachments**

1. Staff report and PowerPoint presentation from Sept. 10 project workshop
2. Agency comments on the Safety Element and County response letter
3. Comment letters from Supervisor Johnston and staff policy analysis
4. Resolution 15-05 with Exhibit A: Findings and Statement of Overriding Considerations

Note: The Final EIR is provided to Commissioners separately on a CD, along with the 2015 Updates. The public may request a CD or hard copies by calling 760.924.1800, or download the files from <http://monocounty.ca.gov/planning/page/mono-county-general-plan-update>.

# Mono County Community Development Department

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## Planning Division

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[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

September 10, 2015

**To: Mono County Planning Commission**

**From: Wendy Sugimura, Associate Analyst  
Brent Calloway, Associate Analyst  
Scott Burns, Director**

**Re: Workshop on Regional Transportation Plan (RTP) / General Plan Update (GPU) and Draft Environmental Impact Report**

### Action Requested

Conduct workshop on the Draft RTP/GPU and DEIR and provide any desired direction to staff.

### Background

The Mono County Regional Transportation Plan (RTP) / General Plan Update (GPU) and Draft Environmental Impact Report (DEIR) was released for public review and comment on July 31, 2015. The DEIR comment period is open for 60 days, the maximum allowable time by state law, and closes on September 29 at 5 pm.

The full project covered by the DEIR includes a comprehensive update of the Mono County General Plan; the Regional Transportation Plan (RTP) which also includes the Blueprint, Bicycle Transportation Plan, and Trails Plan as appendices; three elements of the County Integrated Waste Management Plan (CIWMP); and Noise Ordinance. All the project components cover the unincorporated areas, and the RTP and CIWMP also applies to the town of Mammoth Lakes to varying degrees. RTP language was provided directly by the Town, and the CIWMP was vetted through the Solid Waste Task Force. The General Plan and RTP update continue to focus growth in and adjacent to existing communities to avoid growth in environmentally sensitive areas, and support sustainable, healthy, and livable communities. The project will replace the currently adopted General Plan, RTP and CIWMP.

Over the past five years, the Planning Commission has reviewed various policy segments that have been incorporated into this update, including the following:

- General Plan Development Standards over multiple meetings,
- General Plan Definitions,
- Regional Transportation Plan at two different meetings,
- Circulation Element: Communications & Facilities,
- Resource Efficiency Plan,
- Development Credits,
- Biomass Utilization Study,
- Early Draft of the County Integrated Waste Management Plan,
- Noise Element and Ordinance (in 2013; it has not substantially changed), and
- Landownership Adjustment Project and Blueprint (2010).

The RTP/General Plan Update is being presented at all of the RPACs (Antelope Valley, Bridgeport, Mono Basin, June Lake CAC, Long Valley, Benton/Hammil, Chalfant, and Paradise/Swall Meadows) this month to provide citizens with an opportunity to learn about the project, ask questions, and comment. In addition, this Planning Commission meeting, a

Local Transportation Commission meeting on Sept. 14, and a Board of Supervisors workshop on Sept. 15 are being held in Mammoth Lakes. Outreach meetings in Spanish, advertised through local residents and businesses with Spanish-speaking employees, will be held in Bridgeport, Lee Vining, and Mammoth.

The anticipated adoption schedule provides for outreach during September, drafting of the Final EIR (response to comments) in October, a public hearing with the Planning Commission in November to make a recommendation to the Board of Supervisors, and a public hearing with the Board of Supervisors in early December. The Local Transportation Commission must adopt the RTP update before December 15 in order to submit for project funding under the State/Regional Transportation Improvement Program (STIP/RTIP).

## Discussion

The purpose of the RTP/General Plan Update is to update old information, address new issues, update area plans, coordinate with land management agencies, and provide streamlining opportunities for future development. A number of planning initiatives that have been conducted over the past 5 years to address these objectives include the following:

- **Resource Efficiency Plan (REP):** The REP is intended to help residents and businesses save energy and money, reduce County expenses, support local sustainability initiatives in small and rural communities, and serve as a tool to streamline compliance with state legislation for greenhouse gas emissions (GHG). The plan consists of GHG emission inventories, GHG emission forecasts and reduction targets, GHG reduction policies, and a monitoring/reporting tool. The REP also serves as the Greenhouse Gas Emission Reduction Plan required by CEQA Section 15183.5 for tiering by future development projects.
- **Biomass Utilization:** Originally investigating a combined heat-and-power facility, the study concluded the sustainable biomass supply would best support thermal-only projects. The study has resulted in a \$215,000 grant from the Sierra Nevada Conservancy to build a thermal biomass facility at the Bridgeport Road Shop.
- **Main Street Revitalization and Community Design:** A very detailed Main Street Revitalization Community Planning project was held in Bridgeport in 2012, resulting in the re-design of Main Street that recently won a 2015 Excellence in Transportation Award from Caltrans. A community "design idea book" for streetscape and building features was also part of this project, and in 2014 similar design books were developed as part of the Scenic Byway project for Coleville & Walker and June Lake, along with additional design information for Bridgeport.
- **Landownership Adjustment Project (LAP) and Blueprint:** These projects were completed in 2010, and reinforce the policies to consolidate growth within and adjacent to existing communities. The LAP provides the "nuts and bolts" of how and why land exchanges could occur, and is the basis for a Collaborative Planning Team sub-committee that coordinates land ownership and management strategies across agency boundaries. The LAP serves as the "growth model" for the Blueprint, which addresses future growth and transportation scenarios for the unincorporated county and town.
- **Communications Policies:** IT Director Nate Greenberg, as the project manager for D395, crafted a set of communications policies to address broadband distribution and service quality, design and placement of communication infrastructure, and future planning. These policies were incorporated into a new section in the Circulation Element and also provided an update to development standards in Chapter 11 of the Land Use Element.
- **Facilities Policies:** The "County Project Approval Process" flow chart, developed jointly between Public Works and Community Development to structure and organize community-based facility projects, has been incorporated into a new section of the Circulation Element. Additional policies also address service locations, the prioritization of facilities maintenance, and working with special districts.
- **Healthy Communities/Health in All Policies:** In conjunction with the Mono County Public Health Department, policies were crafted to address increased activity and healthy food choices in communities, and support for local food and agriculture. These policies dovetail with existing policies on walkable communities, transit, revitalized main streets, trails and bicycling, and agriculture.
- **Other programs and agency coordination:** Programs/policies of other agencies were also reviewed and coordinated with General Plan policies, such as watershed studies, Caltrans complete streets, resource management issues, etc.

Rather than reviewing these planning initiatives again, the presentation to the Planning Commission will review area plans and delve into more technical details of the RTP/GPU. A brief overview of the Draft Environmental Impact Report will also be provided.

This staff report has been reviewed by the Community Development Director. Please contact Wendy Sugimura at 760.924.1814 or [wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov) with any questions.

**Attachments:**

- A. Powerpoint presentation: 2015 Regional Transportation Plan/General Plan Update
- B. DEIR Executive Summary



## AVAILABLE AT:

- All County libraries
- County offices in Bridgeport and Mammoth
- Online at <http://monocounty.ca.gov/planning/page/mono-county-general-plan-update>

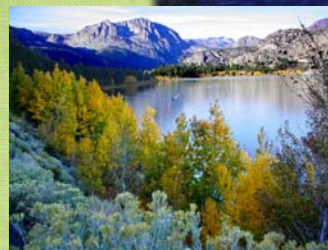


## 2015 Regional Transportation Plan / General Plan Update

Plus: Environmental Impact Report  
Integrated Waste Management Plan  
Noise Ordinance

### RTP/GPU and EIR Components

- Land Use Element
  - Policies, Area Plans, Maps, Development Regulations
- Circulation Element and Regional Transportation Plan (RTP)
  - Communication & Facilities Policies
  - RTP: Blueprint, Bicycle Transportation Plan, Trails Plan
- Conservation / Open Space Element
- Safety and Noise Elements, and Appendices
- Countywide Integrated Waste Management Plan
- Environmental Impact Report (EIR)



## Major Planning Efforts for Policy Development

- Resource Efficiency Plan
- Biomass Utilization
- Landownership Adjustment Project & Blueprint
- Communications Policies
- Facilities Policies
- Main Street Revitalization and Community Design
- Healthy Communities/Health in All Policies
- Other programs and agency coordination



Photo Courtesy of Ilene Mandelbaum

## Land Use Element

- Buildout Calculations
- Maps – online at <https://monomammoth.maps.arcgis.com/home/>
  - Map Corrections and Replaced Conway Ranch Specific Plan with Open Space Designation
- Area Plans
- Development Regulations



# Buildout Calculations

2000		2015		
Planning Area	Old Total Buildout	Planning Area	MTB	TRB
Antelope	5,194	Antelope	4,536	2,661
Benton	3,874	Benton	2,510	2,067
Bodie Hills	402	Bodie Hills	318	318
Bridgeport	3,531	Bridgeport	3,158	3,158
Chalfant	661	Chalfant	598	574
Hammil	304	Hammil	285	285
June Lake	3,970	June Lake	3,236	3,019
Long Valley	2,600	Long Valley	2,041	1,972
Mammoth Vicinity	400	Mammoth Vicinity	338	110
Mono Basin	1,601	Mono Basin	933	908
No Planning Area	4,756	No Planning Area	2,457	670
Oasis	na	Oasis	1,667	102
Paradise	na	Paradise	223	154
Sonora	na	Sonora	138	138
Swaugger	9	Swaugger	8	8
Upper Owens	na	Upper Owens	807	52
Wheeler Crest	645	Wheeler Crest	389	389
<b>TOTAL</b>	<b>27,947</b>	<b>TOTAL</b>	<b>23,642</b>	<b>16,585</b>

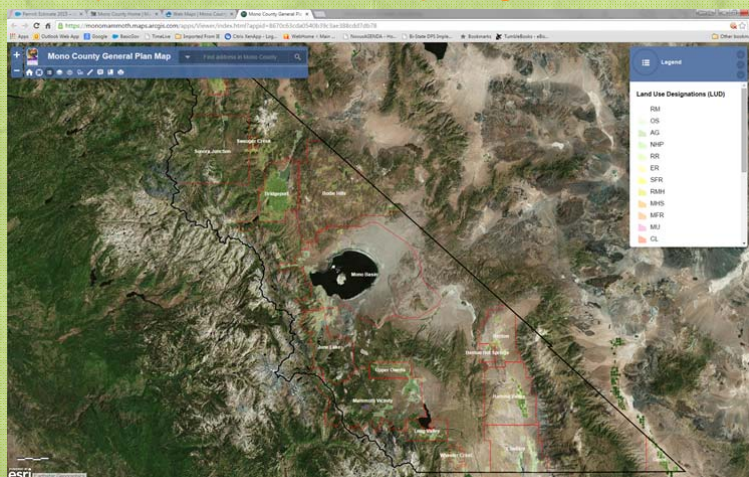
MTB = Maximum Theoretical Buildout TRB = Theoretical Regulatory Buildout





## Land Use Element - Maps

<https://monomammoth.maps.arcgis.com/home/>



## Land Use Element: Antelope Valley Area Plan

- Maintain scenic, agricultural and natural resources; add historic values
- Encourage alternative energy sources and conservation easements to protect resources and open space
- New development must demonstrate sufficient water supply
- Heavy equipment storage allowed on parcels >5 acres
- Encourage trail easements with willing buyers and sellers
- Enhance home business/expanded home occupation
- Promote main street revitalization in Walker and Coleville
- Promote tourism and recreation opportunities



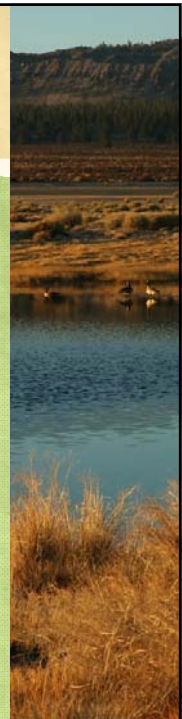
## Land Use Element: Bridgeport Area Plan

- Focused development, and Ag preservation (development credits)
- Increased recreation opportunities & trails and wayfinding
- Specific Issues: Groundwater policies per state law, water leasing, wildfire risk, economic and Main Street revitalization



## Land Use Element: Mono Basin Community Plan

- Issues / Opportunities / Constraints, and Goals & Policies included
- Small-town character consist with natural values of Mono Basin
  - Compact, orderly growth
  - Aesthetic architectural design and visual improvements, dark sky protection
  - Green and energy efficient practices
- Protect and enhance natural, historical and recreational values
  - Conway Ranch, upland water management, trails
- Specific Issues: housing supply, light industrial, road shops, ag, parking, main street/complete streets, infrastructure, local services
- Sustainable local economy: diversify, tourism, local businesses
- Sense of Community: connected, engaged, respectful, diverse activities



## Land Use Element: June Lake Area Plan



- Update of Land Use Designations: maps & definitions
- Community Design & D395 incorporated into policies
- Emphasis on recreation and tourism
- Conservation/Open Space: emphasis on ecosystem health, habitat, water – compliments General Plan well with more detail
- Housing: relies more on General Plan, employee housing requirement formulas eliminated in favor of “fair share” language
- Safety: relies on General Plan, law enforcement services policy retained
- Transportation policies in RTP
- Updated to reflect current conditions, e.g. agency name & state law changes, etc.



## Land Use Element: Long Valley Area Plan

- Improve infrastructure for public services & facilities
- Protect and enhance existing community character (primarily residential)
- Convenient and necessary commercial development focused in area near community center and should follow design guidelines, also light industrial uses
- Recreation and open space: emphasis on expanding recreation uses and developing a regional trail system
- Coordination with adjacent public lands: landownership adjustments



## Land Use Element: Paradise Area Plan

- Maintain community character (e.g., single family) and health of surrounding natural lands
- Retain quiet, residential character
- Support infrastructure, public safety, and service capacity
- Support safe recreational facilities



## Land Use Element: Other Area Plans

- **Tri-Valley** (no policy changes, recently updated in 2011)
- **Upper Owens** (minor policy changes, participation of all landowners)
- **Benton Hot Springs** (minor policy changes, participation of all landowners)
- **Oasis** (very minor changes, all landowners notified)
- **Sonora** (minor policy changes (sage grouse), recently updated in 2011)
- **Wheeler Crest** (minor consistency edits)
- **Mammoth Vicinity** (minor consistency edits)
- **Bodie Hills** (minor consistency edits)
- **Swauger Creek** (minor consistency edits)



## Land Use Element – Development Regulations

- Clarification of existing policy
- Modified or eliminated outdated/inconsistent policies
- Streamlined or updated regulations to reflect local circumstances
- Addressed State mandates, such as fire safe regulations



## Clarification of Existing Policies

- 1. Clarify that a parcel can have 2 LUDs and remove the requirement for a lot split along the LUD line.
- 2. Clarification that communication towers allowed in all LUDs with Use Permit.
- 3. Clarification that accessory use prior to main use requires a use permit.
- 4. Language added to lot size regulations noting the authority of Lahontan/SWRCB.
- 5. Commercial and industrial height exception not limited to commercial and industrial LUDs.
- 6. Clarification that accessory structures are not allowed in setbacks.

## Clarification of Existing Policies

- 7. Clarification that side yard setbacks may be reduced to 5 feet in certain situations.
- 8. Guesthouse size limitations made consistent with Accessory Dwelling Unit size limitations.
- 9. Development Credits policies clarified and moved to dedicated section.
- 10. Resource Extraction standards (rather than LUD)
- 11. Cargo containers allowed in flood areas when in compliance with Ch 21. Flood Regulations.
- 12. Density Bonus information organized into one section.

## Outdated or Inconsistent Regulations Modified or Eliminated

- 13. Language allowing mining, drilling (oil/gas), wind farms, hydroelectric facilities in all LUDs with Use Permit removed.
- 14. Line removed exempting RV storage on vacant land.
- 15. Fences allowed to 7 feet height without permit.
- 16. Setback of animal to neighboring home increased from 40 to 50 feet.
- 17. Three residential parking space requirement removed in June Lake.

## Streamlined or Innovative Regulation Reform

- 18. In commercial LUD, DR rather than Use Permit required for most uses when using existing structures, and lesser intensity use new structures.
- 19. Minimum lot area requirements for Hotel, motel lodge etc. eliminated.
- 20. Depth to Width regulations changed to guidelines eliminating need for variance in certain situations.
- 21. Accessory buildings over 20 feet allowed by the Director rather than more formal Director Review.
- 22. Cell tower height allowed to 80 feet in certain situations.
- 23. Space between building requirements eliminated.

## Streamlined or Innovative Regulation Reform

- 24. Tandem parking prohibition for commercial and multi-family removed, allowed only in certain situations.
- 25. Prohibition of less than 20' wide manufactured home removed, allowed when consistent with design guidelines.
- 26. Manufactured Housing Subdivision regulations made more flexible, allowed in more LUDs and not limited to manufactured homes.
- 27. Use permit and Variance expiration when failure to exercise rights extended from 1 to 2 years or as otherwise stated in permit conditions.
- 28. Non-Conforming Use regulations loosened, allows for modifications including potential expansion to nonconforming structures in certain circumstances and allows exemption for destroyed nonconforming single family homes that were previously permitted.

## State Mandates or Department/Procedural Needs

- 29. Composting facilities allowed as a permitted use in Agriculture and Resource Management LUDs.
- 30. Waste processing and recycling uses added to Industrial and Public Facility LUDs.
- 31. Small wind towers language added in to comply with state law.
- 32. Added language about site plan review for building permits within sensitive species habitat.
- 33. Cottage food operation language added to home occupation regulations in compliance with state law.
- 34. Required finding added for Expanded Home Occupation permits.

## State Mandates or Department/Procedural Needs

- 35. Requirement for adequate waste management space added in compliance with state law.
- 36. Plan of Operations concept added.
- 37. Mobile Vendor Standards and Guidelines added.
- 38. Bed and Breakfast parking requirements added.
- 39. Many changes to utility section, mostly relating to height, undergrounding, conduit requirements and state law compliance.
- 40. Flood & Fire regulations modified per state law.



## Circulation Element and Regional Transportation Plan (RTP)

- Reviewed with Commission in July 2015
- Circulation: Communications, Facilities, RTP
- RTP:
  - Area-specific policies are in addition to Land Use Element Area Plans
  - Blueprint, Bicycle Transportation Plan, Trails Plan in Appendices



## Regional Transportation Plan (RTP)

- Covers the unincorporated county and Mammoth Lakes
- Updated data: population & demographics, traffic counts, transit services, airport use, etc.
- Goods and Vehicle Movement
  - Continue to provide for and maintain road system, and increase safety
  - In cooperation with Caltrans District 9
- Focus on walkable communities, multi-modal mobility and main streets
  - Resource Efficiency Plan policies: reduce vehicle miles traveled (transit, bike, etc.)
  - Main street planning
  - Bicycling and trails; Complete Streets
- Relationship to land use, resource stewardship, sensitive habitats
- Appendices: Blueprint, Bicycle Transportation Plan, Trails Plan



## Conservation/Open Space Element

- Biological Assessment
- Policy Development & Review

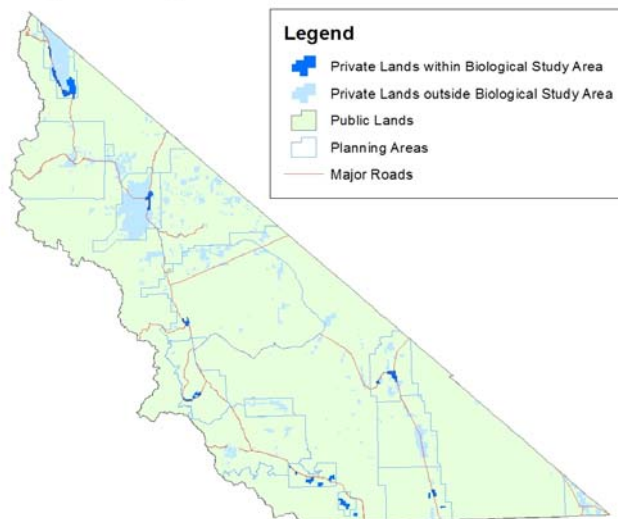


## Conservation / Open Space Element

- Biological Assessment:
  - <http://monocounty.ca.gov/planning/page/rtpgpudeir-technical-studies>
  - Covers areas within an adjacent to existing communities
  - Focuses on species and habitats of conservation concern, including mule deer and Bi-State sage grouse
  - Provides basis for streamlining



### Biological Study Area Overview



## Biological Assessment: Plant Communities

Holland name and CDFW classification number	Alliance and primary association names	acreage in study area
upland communities		
Big Sagebrush Scrub 35.110.00	Big Sagebrush Shrubland <i>Artemisia tridentata-Atriplex canescens</i>	1.1
Big Sagebrush Scrub 35.110.01	Big Sagebrush Shrubland <i>Artemisia tridentata-Ericameria nauseosa</i>	44
Big Sagebrush Scrub 35.110.13	Big Sagebrush Shrubland <i>Artemisia tridentata-Ephedra nevadensis</i>	492
Rubber Rabbitbrush Scrub 35.310.00	Rubber Rabbitbrush Shrubland <i>Ericameria nauseosa-Artemisia tridentata</i>	64
bottomlands communities		
Willow Riparian Scrub 61.209.00	Sandbar Willow Thicket <i>Salix exigua-Ericameria nauseosa</i>	0.4
Desert Saltbush Scrub 36.370.00	Torrey Saltbush Shrubland <i>Atriplex torreyi-Artemisia tridentata</i>	3.9
Black Greasewood Scrub 36.400.00*	Budsage Shrubland <i>Sarcobatus vermiculatus-Artemisia spinescens</i>	12
Black Greasewood Scrub 36.400.00*	Black Greasewood Shrubland <i>Sarcobatus vermiculatus-Ericameria nauseosa</i>	43
Black Greasewood Scrub 36.400.01	Black Greasewood Shrubland <i>Sarcobatus vermiculatus</i>	64

## Biological Assessment: Plant Species

Scientific Name Common Name Life Form	Rank or Status <sup>1</sup>		Flowering Period	Communities Some Potential for Occurrence
	CNPS	CNDDB		
<i>Orthotrichum shevockii</i> Shevock's bristle moss bryophyte on rocks	1B.3		-	Big Sagebrush Scrub Rubber Rabbitbrush Scrub Desert Saltbush Scrub Black Greasewood Scrub
<i>Allium atrorubens</i> var. <i>atorubens</i> Great Basin onion bulbiferous herb	2B.3	S2	May-June	Big Sagebrush Scrub Rubber Rabbitbrush Scrub Desert Saltbush Scrub Willow Riparian Scrub
<i>Boechera bodienseis</i> Bodie Hills rockcress herbaceous perennial	1B.3	S2	June-August	Big Sagebrush Scrub Rubber Rabbitbrush Scrub
<i>Boechera dispar</i> pinyon rockcress herbaceous perennial	2B.3	S3	March-June	Big Sagebrush Scrub Rubber Rabbitbrush Scrub
<i>Chaetadelpa wheeleri</i> Wheeler's dune-broom rhizomatous herb	2B.2	S2	April-Sept	Big Sagebrush Scrub Rubber Rabbitbrush Scrub Desert Saltbush Scrub Black Greasewood Scrub
<i>Cryptantha fendleri</i> sand dune cryptantha herbaceous annual	2B.2	S1	June-July	Big Sagebrush Scrub Rubber Rabbitbrush Scrub Desert Saltbush Scrub Willow Riparian Scrub
<i>Cymopterus globosus</i> globose cymopterus herbaceous perennial	2B.2	S1	March-June	Big Sagebrush Scrub Rubber Rabbitbrush Scrub Black Greasewood Scrub

## Biological Assessment: Wildlife Species

species	status <sup>1</sup>		Communities Some Potential for Occurrence
	CDFW	State ranking	
<b>amphibians</b>			
<i>Lithobates pipiens</i> northern leopard frog	SSC	S2	Willow Riparian Scrub Wild Rose Riparian Scrub Transmontane Alkaline Marsh
<b>reptiles</b>			
<i>Elgaria panamintina</i> Panamint alligator lizard	SSC	S3	Big Sagebrush Scrub Desert Saltbush Scrub Willow Riparian Scrub Wild Rose Riparian Scrub Transmontane Alkaline Marsh
<b>birds</b>			
<i>Buteo swainsoni</i> (nesting) Swainson's hawk	Threatened	S3	Big Sagebrush Scrub
<b>mammals</b>			
<i>Antrozous pallidus</i> pallid bat	SSC	S3	disturbed habitats with buildings
<i>Lepus townsendii townsendii</i> western white-tailed jackrabbit	SSC	S3?	Big Sagebrush Scrub Willow Riparian Scrub Wild Rose Riparian Scrub
<i>Myotis ciliolabrum</i> western small-footed myotis	NL	S3	disturbed habitats with buildings
<i>Taxidea taxus</i> American badger	SSC	S3	Big Sagebrush Scrub Great Basin Mixed Scrub Rubber Rabbitbrush Scrub Desert Saltbush Scrub Shadscale Scrub Black Greasewood Scrub Alkali Sacaton Grassland Wild Rose Riparian Scrub

## Biological Assessment

- Determine plant communities, and sensitive communities, plants and wildlife
- Applicant options:
  - Determine presence/absence
  - Assume presence and develop project to fully mitigate impacts
- Benefit: Narrows the study scope and provides detailed information to direct resource studies



Photo Credit: CDFG



## C/OS Policy Development & Review



- Policy Memo by Dr. James Paulus
- Review of 1989 geothermal Settlement Agreement
- Biological Resources: sage grouse
  - Projects with the potential for significant impacts must adopt a statement of overriding consideration
  - Examples of design measures to reduce impacts
  - Review of ministerial permits to reduce impacts
  - Continued collaboration on the Bi-State Action Plan and with the Local Area Working Group
  - Result: Cooperative
  - Focus on sage grouse and mule deer
  - Federally- and state- listed species: defer to agencies
  - Result: Cooperative grant with BLM for up to \$250,000 over 5 years

## C/OS Policy Development & Review



- Biological Resources
  - Detail and additional mitigation measures
  - Mule deer habitat and migration corridors
  - Prevent utilization of non-native plants & encourage removal
- Open Space: Updated policies to focus on maintaining open space
- Hydrology: wetlands, riparian areas, water quality protection
  - Water: Groundwater management, conservation, out-of-area water transfers
  - 30-ft buffer: Best management practices, discourage development
  - No net loss of wetlands at regional scale
  - Stormwater run-off and Low-Impact Development standards

## C/OS Policy Development & Review



- Sustainable agricultural policies
- Alternative Energy: transmission and distribution lines, renewable energy generation
- Recreation: removed parks standards, prioritize maintenance, trails
- Resource Efficiency Plan
- Cultural Resources



## Safety and Noise Elements

- Legal Mandates Update
- Safety:
  - Local Hazard Mitigation Plan Update
  - Fire Safe & Flood Plain Regulations
- Noise:
  - New data and noise readings
  - Noise generally not an issue
  - Noise Ordinance update



## Countywide Integrated Waste Management Plan (CIWMP)

- Updates Countywide Siting Element, Non Disposal Facility Element, and Household Hazardous Waste Element of the CIWMP.
- Elements have been updated to reflect existing waste generation and disposal capacities, as well as identifying future disposal options including out-of-county transfer of waste.
- Identifies need to transition away from landfilling waste at Benton Crossing Landfill.
- Identifies potential Non-Disposal Facilities and the types of infrastructure that will be necessary for future waste management.
- Analyzes County's Household Hazardous Waste programs and identifies future programs.
- For more information, contact Tony Dublino, Solid Waste Supt. 760.932.5453.

## Environmental Impact Report

- Provides for tiering and streamlined processing of future projects
- Potentially significant impacts relating to biological resources, geology, cultural resources, hydrology, recreation, aesthetics, and utilities & public services.
- Alternatives
  1. No Project
  2. Compact Development: Increase minimum parcel size outside communities, increase density within communities
  3. Proactive Resource and Biological Policy: More aggressive policies for resource efficiency and biological conservation that were not recommended due to potential infeasibility.
    - EIR recommends vetting through communities
    - Menu structure: Provides ability to pick and choose specific policies for inclusion or vetting

## Environmental Impact Report

**Public Comment Period: July 31 – September 29, 2015**

Submit comments to:

Wendy Sugimura

PO Box 347, Mammoth Lakes, CA 93546

[wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov)

## 2015 Anticipated Adoption Schedule

- **September:** Community outreach and Planning Commission workshop
- **September 29 at 5 pm:** Close of EIR comment period
- **October:** Drafting of Final EIR and response to comments
- **November:** Planning Commission Public Hearing
- **Early December:** Board of Supervisors Public Hearing to adopt the project and certify the EIR, followed by similar action by Local Transportation Commission





Questions? Comments?

Sign up for email updates at your RPAC website:

<http://monocounty.ca.gov/rpac>

**Mono County Community Development Department**

760.924.1800 or 760.932.5423

**Wendy Sugimura**

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760.924.1814

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**Courtney Weiche**

cweiche@mono.ca.gov

760.924.1803

**Scott Burns, Director**

sburns@mono.ca.gov

760.924.1807

## MONO COUNTY RTP/GENERAL PLAN UPDATE DRAFT EIR



### SECTION 2.0

## EXECUTIVE SUMMARY

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### 2.0 PURPOSES OF THIS DRAFT EIR

The County of Mono, as Lead Agency, determined that the 2015 *RTP/General Plan Update* is a 'project' as defined in the CEQA Guidelines, and requires the preparation of an EIR. In compliance with CEQA, this Draft EIR has been prepared to analyze the potential environmental effects associated with implementation of the project. The EIR has been prepared to fully inform decision-makers in the county, responsible and trustee agencies, interested organizations and the general public of the potential environmental consequences associated with approval and implementation of the Draft *RTP/General Plan Update*. A detailed description of the proposed project, including the project setting, project components and characteristics, project objectives, discretionary actions, and how the EIR will be used, is provided in EIR §3.0 (Project Description).

### 2.1 AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

This Draft EIR addresses the full range of potentially significant environmental impacts associated with the proposed *RTP/General Plan Update* that are known to the county, were raised in comments on the Notice of EIR Preparation (NOP) scoping process, or were raised during preparation of the Draft EIR. During the NOP process, three comment letters were received from interested agencies (Lahontan Regional Water Quality Control Board, California Department of Parks and Recreation, and California Department of Transportation). The comments are summarized in EIR §1.0 (Introduction) and provided in EIR Appendix B. Significant effects identified in this EIR include impacts pertaining to biological resources, soils and geology, health and safety hazards, cultural resources, hydrology, recreation, aesthetics, and public services. Although the residents and communities of Mono County hold a wide range of goals for long-range planning (as identified throughout this EIR), the *RTP/General Plan Update* has been a community-based process, and there are no known unresolved issues or areas of controversy at the time of this Draft EIR release for public review.

### 2.2 ALTERNATIVES TO THE PROPOSED PROJECT

The CEQA Guidelines require that an EIR describe a reasonable range of alternatives to the project or to the location of the project that would reduce or avoid significant impacts, and that could feasibly accomplish the basic objectives of the proposed project. EIR §6 (Alternatives) identifies two alternatives that were rejected from detailed consideration (one pertaining to water reclamation, and one pertaining to transportation) as well as three alternatives that were analyzed and compared to the project as proposed, including:

- Alternative 1: No Project Alternative. Under Alternative 1, the County would not adopt the Draft *RTP/General Plan Update*. The existing 2001 Mono County *General Plan* (all elements) and the 2008 RTP (with 2013 updates) would continue to be implemented as at present, and no changes or other planning initiatives would occur until subsequent proposals are formulated, evaluated under CEQA, and considered for approval by the Mono County Board of Supervisors and other responsible and trustee agencies.
- Alternative 2: Compact Development Alternative. Both the existing and the proposed *RTP/General Plan Update* reflect a long-standing priority of Mono County to direct growth to existing communities. Opportunities remain

that would enable this goal to be more fully realized. Alternative 2 considers a series of steps that would curtail development outside of community areas through increased minimum acreage requirements for subdivisions, agricultural lands and other similar uses, and through higher development density allocations within defined community boundaries.

- Alternative 3: Proactive Resource and Biological Policy Alternative. During the course of the *RTP/General Plan* update, the county considered a wide range of potential policies for each of the General Plan Elements. The County ultimately recommended policies for each *General Plan Element* based on an assessment of their ability to feasibly achieve the stated project objectives. At the same time, it was recognized that some of the excluded policies had substantial merit, and warranted consideration. Alternative 3 presents and describes policies for resource efficiency and biological conservation that were considered and found meritorious but ultimately not recommended due to potential infeasibility.

EIR §6 provides, in Table 6-2, a comparative analysis of the proposed project and each of the three analyzed project alternatives. The comparison uses a numerical scoring system to assess how each alternative compares to the proposed project in terms of meeting project objectives and avoiding or minimizing potentially significant impacts. Scoring provided in Table 6-2 indicates that No Project Alternative would be least effective at meeting project objectives and least effective at avoiding or reducing significant effects. Alternative 2, the 'compact development alternative,' would be environmentally superior to the proposed project. Alternative 3 would also be environmentally superior to the proposed project, though to a lesser degree than Alternative 2. Alternatives 2 and 3 are not recommended at the present time, however, because the underlying concepts were not presented to the community RPACs for discussion during development of the draft General Plan and were not among the land use scenarios developed by the RPACs for consideration in the current update. This EIR recommends that the county present the concepts underlying Alternatives 2 and 3 for future discussion among RPAC and community planning groups. If the discussions indicate that these changes are broadly supported, it is recommended that the County incorporate the revisions in a future General Plan amendment.

### 2.3 SUMMARY OF IMPACTS AND MITIGATION MEASURES

This EIR focuses on the significant environmental effects of the proposed *RTP/General Plan Update*, in accordance with the CEQA Guidelines. The CEQA Guidelines defines a significant effect as a substantial adverse change in the physical conditions which exist in the area affected by the proposed project. A less than significant effect is one in which there is no long or short-term significant adverse change in environmental conditions. The environmental impacts of the proposed project, the impact level of significance prior to mitigation, the proposed mitigation measures to mitigate an impact, and the impact level of significance after mitigation are summarized in Table 2-1.

<b>TABLE 2-1: Executive Summary of Project Impacts and Mitigation Measures</b>			
<b>ENVIRONMENTAL IMPACT</b>	<b>LEVEL OF SIGNIFICANCE WITHOUT MITIGATION</b>	<b>MITIGATION MEASURES</b>	<b>RESULTING LEVEL OF SIGNIFICANCE</b>
<b>§4.1 LAND USE AND PLANNING</b>			
4.1(a) Physically divide an established community	Less than Significant	Mitigated to the greatest feasible extent through RTP/General Plan Policies and Actions. No supplemental mitigation measures are recommended.	Less than Significant
4.1(b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.	Less than Significant	Mitigated to the greatest feasible extent through RTP/General Plan Policies and Actions. No supplemental mitigation measures are recommended.	Less than Significant
<b>§4.2 REGIONAL TRANSPORTATION PLAN AND CIRCULATION</b>			
4.2(a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation and all relevant components of the circulation system.	Less than Significant	Mitigated to the feasible extent through RTP/General Plan Policies and Actions. No supplemental mitigation measures are recommended.	Less than Significant
4.2(b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures.	Less than Significant	Mitigated to the feasible extent through RTP/General Plan Policies and Actions. No supplemental mitigation measures are recommended.	Less than Significant
4.2(c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.	No Impact	Mitigated to the feasible extent through RTP/General Plan Policies and Actions. No supplemental mitigation measures are recommended.	No Impact
4.2(d) Result in inadequate emergency access or design hazards.	Less than Significant	Mitigated to the feasible extent through RTP/General Plan Policies and Actions. No supplemental mitigation measures are recommended.	Less than Significant
4.2(e) Conflict with adopted policies, plans, or programs for public transit, bicycle, parking/pedestrian facilities, or decrease safety or performance of such facilities.	No Impact	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	No Impact

<b>§4.3 AIR QUALITY, CLIMATE CHANGE, GHG EMISSIONS</b>			
4.3(a) Conflicts with or obstructs implementation of the air quality plan or results in a cumulatively considerable net increase of a criteria pollutant for which the region is non-attainment under an applicable federal or state ambient air quality standard.	Less than Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Less than Significant
4.3(b) Violates an air quality standard or contributes substantially to an existing or projected air quality violation.	Less than Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Less than Significant
4.3(c) Exposes sensitive receptors to substantial pollutant concentrations.	Less than Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Less than Significant
4.3(d) Creates objectionable odors affecting a substantial number of people.	Less than Significant	<p>Impacts reduced through RTP/General Plan Policies and Actions. Supplemental recommended mitigations include:</p> <ol style="list-style-type: none"> <li>1. <i>Among the critical next steps for consideration of a biomass facility at Mammoth Mountain garage, it is recommended that the county work with the biomass team to develop a tight management plan for on-site wood chip storage and handling as a way to avoid serious odor problems and spontaneous wood pile combustion.</i></li> <li>2. <i>As one of the critical next steps, it is recommended that the county work with the biomass team to determine the distance and locational relationship between the garage site and nearby residences (or other potentially sensitive uses) with the specific goal of verifying that the distances and conditions (wind, access, noise) are not conducive to future neighborhood complaints about odors.</i></li> </ol>	Less than Significant
4.3(e) Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with an applicable plan, policy or regulation adopted for the purpose of reducing GHG emissions.	Less than Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Less than Significant
<b>§4.4 BIOLOGICAL RESOURCES</b>			
4.4(a) Have a substantial adverse effect, directly or through habitat modifications, on a candidate, sensitive, or special status species as identified in local or regional plans, policies, regulations, or by CDFW or USFWS?	Potentially Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable

4.4(b) Have a substantial adverse effect on a riparian habitat or sensitive natural plant community identified in local/regional policies, regulations, by CDFW or USFWS?	Potentially Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable
4.4(c) Have a substantial adverse effect on federally protected wetlands as per Clean Water Act §404 (marsh, vernal pool, coastal, etc.) through removal, filling, hydrological interruption, other means?	Potentially Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable
4.4(d) Interfere substantially with the movement of a native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede use of native wildlife nurseries?	Potentially Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable
4.4(e) Conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy?	Potentially Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable
4.4(f) Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved habitat conservation plan?	No Impact	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	No Impact
<b>§4.5. GEOLOGY, SOILS, MINERALS</b>			
4.5(a) Expose people or structures to potential substantial adverse effects involving: i) Rupture of a known Alquist-Priolo earthquake fault as delineated by the State Geologist or based on other substantial evidence? ii) Strong seismic ground shaking? iii) Seismic-related ground failure, including liquefaction? iv) Landslides?	Potentially Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable
4.5(b) Result in substantial soil erosion or the loss of topsoil?	Potentially Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable
4.5(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse, or be located on expansive soil creating substantial risks to life or property?	Potentially Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable
4.5(d) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	Potentially Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Less than Significant

4.5(e) Result in the loss of availability of a known mineral resource or an identified locally important mineral resource that would be of value to the region and to residents of the state of California?	Potentially Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable
<b>§4.5. PUBLIC HEALTH &amp; SAFETY, HAZARDS, HAZARDOUS MATERIALS</b>			
4.6(a) Create a hazard to the public or environment through routine transport, use or disposal of hazardous materials, or release of hazardous materials into the environment, including within 1/4 mile of a school?	Potentially Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable
4.6(b) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to CGC §65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Potentially Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable
4.6(c) Create a safety hazard for people residing or working in an area located in an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport or private airstrip?	Potentially Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable
4.6(d) Impair implementation of or physically interfere with an adopted emergency response or evacuation plan?	Potentially Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable
4.6(e) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	Potentially Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable
4.6(f) Expose people or structures to significant risk of avalanche, landslides, destructive storms or winds, rockfall or volcanic activity?	Potentially Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable
<b>§4.7. CULTURAL RESOURCES</b>			
4.7(a) Cause a substantial adverse change in the significance of a prehistorical or historical resource?	Potentially Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable
4.7(b) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Potentially Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable
4.7(c) Disturb any human remains or sacred lands, including those interred outside of formal cemeteries?	Potentially Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable
<b>§4.8. HYDROLOGY, FLOODING, WATER QUALITY, WATER SUPPLY</b>			

4.8(a) Violate any water quality standards?	Potentially Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable
4.8(b) Violate wastewater treatment or discharge requirements or require new wastewater treatment facilities?	Potentially Significant	Impacts reduced through RTP/General Plan Policies and Actions. Supplemental recommended mitigation includes:  <i>1. It is recommended that the County formalize policies consistent with LRWQCB recommendations for controlling the problems associated with septic systems including (a) reevaluate and update the adequacy of existing local regulations for installation and maintenance of septic systems, including applicable criteria from Basin Plan Appendix C; (b) continue to limit the use of septic systems on small-lot, higher density developments; (c) encourage alternative waste treatment systems; (d) encourage &amp; support funding for wastewater treatment plants in outlying areas where water quality problems and/or population density require wastewater collection and treatment.</i>	Significant and Unavoidable
4.8(c) Have insufficient groundwater or surface water supplies to sustainably serve General Plan land uses from existing entitlements, facilities and resources?	Potentially Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable
4.8(d) Alter existing drainage patterns causing substantial erosion, siltation, flooding, polluted runoff?	Potentially Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable
4.8(e) Place housing or structures in a 100-year flood hazard area as mapped on a Flood Hazard Boundary or Flood Insurance Rate Map or other flood delineation map?	Less than Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Less than Significant
4.8(f) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	Less than Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Less than Significant
4.8(g) Expose people or structures to inundation by seiche, tsunami, or mudflow?	Less than Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Less than Significant
<b>§4.9. RECREATION</b>			
4.9(a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial	Less than Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Less than Significant



physical deterioration of the facility would occur or be accelerated?			
4.9(b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	Potentially Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable
<b>§4.10. AESTHETICS, LIGHT &amp; GLARE, SCENIC RESOURCES</b>			
4.10(a) Have a substantial adverse effect on a scenic vista or scenic including trees, rock outcroppings, and historic buildings within a state scenic highway?	Potentially Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable
4.10(b) Substantially degrade the existing visual character or quality of the site and its surroundings?	Potentially Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable
4.10(c) Create a new source of substantial light or glare that would adversely affect day or nighttime views?	Potentially Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable
<b>§4.11. AGRICULTURE, FORESTS, CONSERVATION</b>			
4.11(a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to nonagricultural use, or conflict with existing zoning for agricultural use, or a Williamson Act contract?	Less than Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Less than Significant
4.11(b) Conflict with existing zoning for, or cause rezoning of, forest land or result in the loss of forest land or conversion of forest land to non-forest use?	Less than Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Less than Significant
<b>§4.12. POPULATION AND HOUSING</b>			
4.12(a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	No Impact	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	No Impact
4.12(b) Displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere?	No Impact	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	No Impact
<b>§4.13. PUBLIC SERVICES AND UTILITIES</b>			
4.13(a) Create a need for new or modified governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for any of the	Potentially Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Significant and Unavoidable

public services: Police protection, Schools, Other public facilities, services and utilities?			
4.13(b) Result in a wasteful, inefficient, and/or unnecessary consumption of energy?	Less than Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Less than Significant
4.13(c) Be served by a landfill with insufficient permitted capacity to accommodate the project’s solid waste disposal needs and comply with federal, state, and local statutes and regulations related to solid waste?	Less than Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Less than Significant
<b>§4.14. NOISE</b>			
4.14(a) Expose persons to or cause a permanent or temporary significant increase in ambient noise levels or result in noise levels exceeding standards set by the general plan or noise ordinance or other applicable standards.	Less than Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Less than Significant
4.14(b) Expose persons to or generate excessive groundborne vibration or groundborne noise levels.	Less than Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Less than Significant
4.14(c) Expose people residing or working in the project area to excessive noise levels for a project located in an airport land use plan or (where such a plan has not been adopted) within two miles of a public airport or public use airport or a private airstrip.	Less than Significant	Mitigated to extent feasible through proposed Policies and Actions. No supplemental mitigations recommended.	Less than Significant
<b>OTHER CEQA TOPICS</b>			
Cumulative Impacts on Agriculture associated with Walker River Water Transfer Program	Potentially Significant and Adverse	Will be mitigated to extent feasible through measures proposed in forthcoming EIR for Walker River Water Transfer Project Proposal.	To be determined through future EIR
Cumulative Impacts on Aesthetic and Scenic Values associated with Walker River Water Transfer Program	Potentially Significant and Adverse	Will be mitigated to extent feasible through measures proposed in forthcoming EIR for Walker River Water Transfer Project Proposal.	To be determined through future EIR
Cumulative Impacts on Biological Resources associated with Walker River Water Transfer Program	Potentially Significant and Adverse	Will be mitigated to extent feasible through measures proposed in forthcoming EIR for Walker River Water Transfer Project Proposal.	To be determined through future EIR
Cumulative Impacts on Cultural Resources associated with Walker River Water Transfer Program	Potentially Significant and Adverse	Will be mitigated to extent feasible through measures proposed in forthcoming EIR for	To be determined through future EIR

		Walker River Water Transfer Project Proposal.	
Cumulative Impacts on Hydrology and Water Quality associated with Walker River Water Transfer Program	Potentially Significant and Adverse	Will be mitigated to extent feasible through measures proposed in forthcoming EIR for Walker River Water Transfer Project Proposal.	To be determined through future EIR
Cumulative Impacts on Land Use and Planning Associated with Walker River Water Transfer Program	Potentially Significant and Adverse	Will be mitigated to extent feasible through measures proposed in forthcoming EIR for Walker River Water Transfer Project Proposal.	To be determined through future EIR
Cumulative Impacts on Recreation Associated with Walker River Water Transfer Program	Potentially Significant and Adverse	Will be mitigated to extent feasible through measures proposed in forthcoming EIR for Walker River Water Transfer Project Proposal.	To be determined through future EIR
Cumulative Impacts associated with Water Reclamation	Potentially Significant and Adverse	No Water Reclamation projects proposed at this time.	To be determined through CEQA analysis when and if proposed.
Cumulative Impacts associated with Landfill Closure	Potentially Significant and Adverse	Will be mitigated to extent feasible through measures proposed in EIR for Benton Regional Landfill Closure and Replacement Project.	To be determined through CEQA analysis when replacement site is proposed.

**BOARD OF FORESTRY AND FIRE PROTECTION**

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Brent Calloway  
Mono County Community Development  
PO Box 347  
Mammoth Lakes, CA 93546

October 7, 2015

Re: Mono County Safety Element Review

Dear Mr. Calloway,

The State Board of Forestry and Fire Protection (Board) is required to review and provide recommendations to the safety element of county and local government general plans when such plans are being amended. This review is in accordance with Government Code (GC) 65302.5, which requires the Board to review the fire safety elements when the general plan contains State Responsibility Areas or Very High Fire Hazard Severity Zones.

Enclosed is the final review and recommendations for the Mono County General Plan Safety Element. The Board has prepared this document in cooperation with members of the CAL FIRE Land Use Planning Program. Government Code 65302.5 also requires the Mono County Community Development Department to consider and accept the recommendations made by the Board and communicate in writing to the Board its reasons for not accepting any recommendations.

The Board noted that many of the requirements for Safety Element contents are met by incorporating the Mono County Community Wildfire Protection Plan (CWPP), Emergency Operations Plan, or other General Plan elements. As those documents, particularly the CWPP, are updated over time, the enclosed Assessment should be used to ensure those required components are included in or updated in the CWPP. If that information is taken out of the CWPP or other plans, the Safety Element should be updated to remain compliant with the General Plan requirements in the Government Code.

The submitted Safety Element includes references to Chapter 22 – Fire Safe Regulations contained within the General Plan Land Use Element. The Board would like to notify the County of changes to the Title 14 SRA Fire Safe Regulations that take effect on January 1, 2016. The Board recommends Mono County submit their Chapter 22- Fire Safe Regulations to the state for certification for use in lieu of the state minimum standards after their local adoption in early 2016. More information about the new regulations and how to submit them to the Board may be found online at: [http://bofdata.fire.ca.gov/board\\_joint\\_policies/local\\_government/](http://bofdata.fire.ca.gov/board_joint_policies/local_government/).

Thank you for the opportunity to participate in your planning process and we look forward to working with you on these recommendations and future updates to the Mono County Community Wildfire Protection Plan and Emergency Operations Plan. We hope this input leads to greater protection and reduced cost and losses from wildfires to Mono County and adjacent wildlands.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Keith Gilliss".

J. Keith Gilliss  
Chair, Board of Forestry and Fire Protection

Enclosure: Mono County General Plan Safety Element Assessment  
CC: Chief Pete Muñoa, CAL FIRE Land Use Planning

**Mono County**  
**General Plan Safety Element Assessment**  
**Tier 2**

**September 14, 2015**

**Board of Forestry and Fire Protection**



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**Tier 2 Recommendations**

Jurisdiction: Mono County	Notes:	CAL FIRE Unit: San Bernardino/Inyo/Mono	Date Received: 8/1/2015
County: Mono	LUPP Reviewer: Martinez	Unit Contact: Steve Shaw	Date Reviewed: 8/25/2015

**Purpose and Background:** The State Board of Forestry and Fire Protection (Board) is required to review and make recommendations for the safety element of general plan updates in accordance with Government Code (GC) 65302.5. The review and recommendations apply to those general plans with State Responsibility Area (SRA) (Public Resources Code (PRC) 4125) or Very High Fire Hazard Severity Zone Local Responsibility Area (VHFHSZ LRA) (GC 51177(i), PRC 4125).

The statutory requirements for the Board review and recommendations pursuant to GC 65302.5 (a)(1) and (2), and (b) are as follows:

- *“The draft elements...to the fire safety element of a county’s or a city’s general plan...shall be submitted to the Board at least 90 days prior to... the adoption or amendment to the safety element of its general plan [for each county or city with SRA or VHFHSZ].”*
- *“The Board shall... review the draft or an existing safety element and report its written recommendations to the planning agency within 60 days of its receipt of the draft or existing safety element....”*
- *“Prior to adoption of the draft element..., the Board of Supervisors... shall consider the recommendations made by the Board... If the Board of Supervisors...determines not to accept all or some of the recommendations..., the Board of Supervisors... shall communicate in writing to the Board its reasons for not accepting the recommendations.”*

**Methodology for Review and Recommendations:** The Board established a standardized method to review the safety element of general plans. The methodology includes 1) examining the safety element for inclusion of factors that are important for mitigation of wildfire hazard and risks, and 2) making recommendations related to these factors. The evaluation factors and recommendations below were developed using CAL FIRE technical documents and input from local fire departments.

The Tier 2 recommendations below apply to communities with

- Medium amounts of VHFHSZ Zone acreage or 10 to 20% of acreage is VHFHSZ LRA; or
- Medium population densities; or
- VHFHSZ that does not encroach on population centers or does not add significantly to contiguous high fire hazard fuels at a regional level.

The counties assigned Safety Element Assessment Tier 2 are **Colusa, Imperial, Inyo, Kings, Merced, Modoc, and Mono**. There are 48 cities, listed below, evaluated under Tier 2.

As local fuels, boundaries, populations, and other variables change throughout time, Board staff have the discretion to re-assign a jurisdiction into a lower or higher assessment tier. Staff will consider:

- Variations in population and population density; or
- Changes in proportion of land designated VHFHSZ (lower or higher); or
- Firefighting capabilities (paid, volunteer, equipment, etc) and contract changes; or
- Past planning efforts and involvement of organizations such as local Fire Safe Councils and new initiatives or efforts that have emerged over time; or
- Changes to the context of VHFHSZ within the region – does the VHFHSZ in a jurisdiction combine with neighboring fuels to create a continual pattern of very high fire risk in a way that it hadn't previously?

Cities (alphabetical by county)

Cities (alphabetical by county)				
<b>Alameda</b>	<b>Monterey</b>	<b>Riverside con't</b>	<b>San Diego</b>	<b>Shasta</b>
Berkeley	Monterey	Palm Springs	Carlsbad	Anderson
Piedmont	<b>Orange</b>	Perris	Chula Vista	<b>Siskiyou</b>
Pleasanton	Fullerton	Riverside	Del Mar	Etna
<b>Calaveras</b>	Irvine	San Jacinto	El Cajon	Yreka
Angels Camp	Laguna Woods	Temecula	Solana Beach	<b>Sonoma</b>
<b>Los Angeles</b>	Mission Viejo	Wildomar	Vista	Santa Rosa
Arcadia	Orange	<b>San Bernardino</b>	<b>San Luis Obispo</b>	<b>Tehama</b>
West Covina	<b>Riverside</b>	Chino Hills	San Luis Obispo	Red Bluff
<b>Marin</b>	Corona	Fontana	<b>Santa Clara</b>	<b>Ventura</b>
Larkspur	Hemet	Hesperia	Morgan Hill	Camarillo
<b>Mendocino</b>	Jurupa Valley	Rialto	San Jose	Fillmore
Ukiah	Menifee	Upland		Ventura
	Moreno Valley	Yucca Valley		

## Review Process and Timeline

The county/local jurisdiction and CAL FIRE Land Use Planning staff will receive and review technical guidance documents, the Board assessment, and relevant information from CAL FIRE and the Governor's Office of Planning and Research.



The county or local jurisdiction will work closely with CAL FIRE Land Use Planning staff during the development of the general plan and the safety element in particular.



**At least 90 days prior to the adoption or amendment of the General Plan:** The county or local jurisdiction will submit the safety element to the Board of Forestry & Fire Protection for review. Jurisdictions are encouraged to send safety elements to the Board prior to the 90 day statutory requirement for greater collaboration.



**No more than 60 days later:** The Board will consider staff recommendations and approve as-is or with changes at the next Board meeting. This deadline may be modified upon mutual agreement between Board staff and local jurisdictions.



## Tier 2 General Plan Safety Element Recommendations

Please click on the appropriate box to “check” whether the plan satisfies each point. Standard recommendations are included in the checklist but please highlight or add additional comments as necessary.

### 1.0 Inter-agency Wildfire Protection Planning

- 1.1 General Plan references and incorporates County or Unit Fire Plan: Yes Partial No  
**This is included in the CWPP.**

**Recommendation:** Identify, reference or create (if necessary) a fire plan for the geographic scope of the General Plan. The General Plan should incorporate the general concepts and standards from any county fire plan, fire protection agency (federal or state) fire plan, and local hazard mitigation plan. Identify or reference the local Unit Fire Plan and, if applicable, the Community Wildfire Prevention Plan.

**Priority:** High Medium Low N/A

**Recommendation:** Ensure fire plans incorporated by reference into the General Plan contain evaluations of fire hazards, assessment of assets at risk, prioritization of hazard mitigation actions, and implementation and monitoring components.

**Priority:** High Medium Low N/A

- 1.2 Map or describe existing emergency service facilities and areas lacking services, specifically noting any areas in SRA or VHFHSZs. Yes Partial No

**Recommendation:** Include descriptions of emergency services including available equipment, personnel, and maps of facility locations.

**Priority:** High Medium Low N/A **Mono County Community Development Director Scott Burns stated they were planning on adding this to the safety element soon but have not done so as of yet.**

**Recommendation:** Initiate studies and analyses to identify appropriate staffing levels and equipment needs commensurate with the current and projected emergency response environment.

**Priority:** High Medium Low N/A **Mr. Burns stated they are planning to add this recommendation by reference this prior to their safety element adoption.**

**Recommendation:** Establish goals and policies for emergency service training that meets or exceeds state or national standards.

**Priority:** High Medium Low N/A **This is included in the Mono County CWPP.**

- 1.3 Inter-fire service coordination preparedness/mutual aid and multi-jurisdictional fire service agreements. Yes Partial No

**Recommendation:** Adopt the Standardized Emergency Management Systems for responding to large scale disasters requiring a multi-agency response. Ensure and review mutual

aid/automatic aid and other cooperative agreements with adjoining emergency service providers.

**Priority:**  High  Medium  Low  N/A **This information is included in the Mono County Emergency Operations Plan (EOP) and included by reference to this plan in the safety element.**

## 2.0 Land Use:

2.1 Disclose wildland urban interface hazards including Fire Hazard Severity Zones designations and other vulnerable areas as determined by CAL FIRE or fire prevention organizations. Describe or map any Firewise Communities or other firesafe communities as determined by the National Fire Protection Association, Fire Safe Council, or other organizations.

Yes  Partial  No **Mono County makes reference to the Mono County CWPP, but they do not individually have this information in their safety element. They have not adopted the FRAP VHFHSZ maps as required. They do plan to look into this and will include the FRAP maps to the safety element. The maps in the CWPP are potentially not the FRAP maps and appear not to encompass the same areas as the FRAP.**

**Recommendation:** Specify whether the entity has a Very High Fire Hazard Severity Zones (VHFHSZ) designation pursuant GC 51175 and include a map of the zones that clearly indicates any area designated VHFHSZ.

**Priority:**  High  Medium  Low  N/A

**Recommendation:** Adopt CAL FIRE recommended Fire Hazard Severity Zones including model ordinances developed by the Office of the State Fire Marshal for establishing VHFHSZ areas.

**Priority:**  High  Medium  Low  N/A

2.2 Goals and policies include mitigation of fire hazard for future development.  Yes  Partial  No

**Recommendation:** Adopt fire safe development codes to be used as standards for fire protection for new development in Very High Fire Hazard Severity Zones (VHFHSZ) within the entity's jurisdiction that meet or exceed statewide standards in 14 California Code of Regulations Section 1270 et seq and have them certified by the Board of Forestry.

**Priority:**  High  Medium  Low  N/A **Chapter 22 – Fire Safe Regulation part of Land Use Element but not certified by Board of Forestry. Will submit to Board after adoption in early 2016.**

**Recommendation:** Establish goals and policies for specific ordinances, or specify the current existing ordinances, code sections, or regulations, that address evacuation and emergency vehicle access; water supplies and fire flow; fuel modification for defensible space; and home addressing and signing.

**Priority:**  High  Medium  Low  N/A **See above comment**

**Recommendation:** Consider mitigation of previously developed areas that do not meet Title 14 California Code of Regulations Section 1270 et seq. or equivalent local ordinance.

**Priority:**  High  Medium  Low  N/A **When asked about this section in the meeting Mr. Burns stated they have not addressed this in the plan are considering and update to the CWPP and safety element reference change next year post safety element adoption to address this issue.**

- 2.3 The design and location of new development provides for adequate infrastructure for the safe ingress of emergency response vehicles and simultaneously allows civilian egress during an emergency: Yes Partial No **The CWPP talks about major road access and potential evacuation routes in the CWPP and their Master Environmental Assessment but does not adequately map tertiary routes and temporary safe locations. They will look at adding a comprehensive plan to the plan but unsure when or how they would address.**

**Recommendation:** Develop pre-plans for fire prone areas that address civilian evacuations to temporary safety locations.

**Priority:** High Medium Low N/A **See above comments**

**Recommendation:** Develop a policy that approval of parcel maps and tentative maps is conditional based on meeting regulations adopted pursuant to §4290 and 4291 of the Public Resources Code, particularly those regarding road standards for ingress, egress, and fire equipment access.

**Priority:** High Medium Low N/A **Addresses partially in the CWPP; a stand-alone policy and process exists to cover this recommendation. This is common practice and they stated they would add by reference to the safety element.**

- 2.4 Fire suppression defense zones. Yes Partial No

**Recommendation:** Establish goals and policies that create wildfire defense zones for emergency services, including fuel breaks or other staging areas where WUI firefighting tactics could be most effectively deployed.

**Priority:** High Medium Low N/A **Not addressed – they stated they would work to add on the next EOP and CWPP update next year.**

- 2.5 Prioritizing asset protection from fire when faced with a lack of suppression forces.  
Yes Partial No

**Recommendation:** Identify and prioritize protection needs for assets at risk in the absence of response forces.

**Priority:** High Medium Low N/A

**Recommendation:** Establish fire defense strategies (such as fire ignition resistant areas) that provide adequate fire protection without dependency on fire resources (both air and ground) and could serve as safety zones for the public or emergency support personnel.

**Priority:** High Medium Low N/A

### 3.0 **Housing:**

- 3.1 Incorporation of current fire safe building codes. Yes Partial No

**Recommendation:** Adopt building codes for new development in State Responsibility Areas or incorporated areas with VHFHSZ that are based on those established by the Office of the State Fire Marshal in Title 19 and Title 24 CCR, referred to as the “Wildland Urban Interface Building Codes.”

**Priority:**  High  Medium  Low  N/A

**Recommendation:** Ensure new development proposals contain specific fire protection plans, actions, and codes for fire engineering features for structures in VHFHSZ. Examples include codes requiring automatic sprinklers in VHFHSZ.

**Priority:**  High  Medium  Low  N/A

3.2 Consideration of diverse occupancies and their effects on wildfire protection.

Yes  Partial  No

**Recommendation:** Ensure risks to uniquely occupied structures, such as seasonally occupied homes, multiple dwelling structures, or other unique structures/owners, are considered for appropriate wildfire protection needs.

**Priority:**  High  Medium  Low  N/A

3.3 Fuel modification around homes.  Yes  Partial  No

**Recommendation:** Establish ordinances in SRA or VHFHSZ for vegetation fire hazard reduction around structures that meet or exceed the Board of Forestry and Fire Protection's Defensible Space Guidelines for SRA and the Very High Fire Hazard severity zones, including vacant lots.

See [http://www.bof.fire.ca.gov/pdfs/Copyof4291finalguidelines9\\_29\\_06.pdf](http://www.bof.fire.ca.gov/pdfs/Copyof4291finalguidelines9_29_06.pdf)

**Priority:**  High  Medium  Low  N/A

**Recommendation:** Reduce fuel around communities and subdivisions, considering fuels, topography, weather (prevailing winds and wind event specific to the area), fire ignitions and fire history.

**Priority:**  High  Medium  Low  N/A

**Recommendation:** Include policies and recommendations that incorporate fire safe buffers and greenbelts as part of the development planning. Ensure that land uses designated near high or very fire hazard severity zones are compatible with wildland fire protection strategies/capabilities.

**Priority:**  High  Medium  Low  N/A

3.4 Identification and actions for substandard fire safe housing and neighborhoods relative to fire hazard area.  Yes  Partial  No **This is partially covered in the CWPP in the last third of the policy but does not adequately cover the intent of the below recommendations. Mono County added this to their list of agenda items to look into their next meeting and to scope how best to address this.**

**Recommendation:** Identify and map existing housing structures that do not conform to contemporary fire standards in terms of building materials, perimeter access, and vegetative hazards in VHFHSZ or SRA by fire hazard zone designation.

**Priority:**  High  Medium  Low  N/A

**Recommendation:** Identify plans and actions to improve substandard housing structures and

neighborhoods. Plans and actions should include structural rehabilitation, occupancy reduction, demolition, reconstruction, neighborhood-wide fuels hazard reduction projects, community education, and other community based solutions.

**Priority:**  High  Medium  Low  N/A

3.5 Assessment and projection of future emergency service needs.  Yes  Partial  No

**Recommendation:** Ensure new development includes appropriate facilities, equipment, personnel and capacity to assist and support wildfire suppression emergency service needs. Future emergency service needs should be:

- Established consistent with state or national standards.
- Developed based on criteria for determining suppression resource allocation that includes elements such as identified values and assets at risk, ignition density, vegetation type and condition, as well as local weather and topography.
- Local Agency Formation municipal services reviews for evaluating level of service, response times, equipment condition levels and other relevant emergency service information.

**Priority:**  High  Medium  Low  N/A

#### 4.0 **Conservation and Open Space:**

4.1 Identification of critical natural resource values relative to fire hazard areas.  Yes  Partial  No  
**I addressed these recommendations in my meeting with the team and they stated this would be added as an agenda item in the future to scope how best to address these recommendations.**

**Recommendation:** Identify critical natural resources and other “open space” values within the geographic scope of the General Plan.

**Priority:**  High  Medium  Low  N/A

4.2 Inclusion of resource management activities to enhance protection of open space and natural resource values.  Yes  Partial  No **In the conservation/open space element**

**Recommendation:** Develop plans and action items for vegetation management that provides fire damage mitigation and protection of open space values.

**Priority:**  High  Medium  Low  N/A

**Recommendation:** Establish goals and policies for reducing the wildland fire hazards within the entity’s boundaries and, with the relevant partners, on adjacent private wildlands, federal lands, vacant residential lots, and greenbelts with fire hazards that threaten the entity’s jurisdiction.

**Priority:**  High  Medium  Low  N/A **Included in the CWPP**

4.3 Integration of open space into fire safety effectiveness.  Yes  Partial  No

**Recommendation:** Establish goals and policies for incorporating systematic fire protection improvements for open space. Specifics policies should address fire mitigation planning with agencies/private landowners managing open space adjacent to the General Plan area, water

sources for fire suppression, and other fire prevention and suppression needs.

**Priority:**  High  Medium  Low  N/A

## 5.0 Circulation:

5.1 Adequate access to high hazard wildland/open space areas.  Yes  Partial  No

**Recommendation:** Establish goals and policies for adequate access in Very High Fire Hazard Severity Zones that meet or exceed standards in Title 14 CCR 1270 for lands with no structures, and maintain conditions of access in a suitable fashion for suppression access or public evacuation.

**Priority:**  High  Medium  Low  N/A **They do not address the public evacuation routes in a formal plan and do not address the maintenance of such. They are adding this to a future agenda to scope how best to add this information to their plan.**

5.2 Incorporate a policy that provides for a fuel maintenance program along roadways in the agency having jurisdiction.  Yes  Partial  No

**Recommendation:** Develop an adaptive vegetation management plan that considers fuels, topography, weather (prevailing winds and wind event specific to the area), fire ignitions and fire history.

**Priority:**  High  Medium  Low  N/A **Addressed in the CWPP**

5.3 Emergency response barriers.  Yes  Partial  No

**Recommendation:** Identify goals and policies that address vital access routes that if removed would prevent fire fighter access (bridges, dams, etc.). Develop an alternative emergency access plan for these areas.

**Priority:**  High  Medium  Low  N/A **This is partially addressed in the CWPP but there is currently no comment or plan in place to address alternate emergency access, etc. They will add this recommendation to a future agenda item and address the issue in a future CWPP update.**

5.4 Adequacy of existing and future transportation system to incorporate fire infrastructure elements.  Yes  Partial  No

**Recommendation:** Establish goals and policies for proposed and existing transportation systems to facilitate fire infrastructure elements such as turnouts, helispots and safety zones.

**Priority:**  High  Medium  Low  N/A **Mono County does not currently address the helispot and safety zones recommendation will add this to the Emergency Operations Plan and CWPP update next year**

## 6.0 Post Fire Safety, Recovery and Maintenance:

The post fire recommendations address an opportunity for the community and landowners to re-evaluate land uses and practices that affect future wildfire hazards and risk. They also provide for immediate post-fire life and safety considerations to mitigate potential losses to life, human assets and critical natural resources.

- 6.1 Develop post-fire priorities and goals for the recovery of the built and natural environments.  
 Yes  Partial  No

**Recommendation:** Reevaluate hazardous conditions and provide for future fire safe conditions. Evaluate redevelopment in high or very high fire hazard severity zones.

**Priority:**  High  Medium  Low  N/A

**Recommendation:** Restore sustainable landscapes and restore functioning ecosystems. Incorporate wildlife habitat/endangered species considerations.

**Priority:**  High  Medium  Low  N/A

**Recommendation:** Provide polices and goals for maintenance of the post-fire-recovery projects, activities, or infrastructure.

**Priority:**  High  Medium  Low  N/A

- 6.2 Post fire life and safety assessments.  Yes  Partial  No **They will add this to a future agenda item to scope how best to address this section.**

**Recommendation:** Develop frameworks for rapid post-fire assessment and project implementation to minimize flooding, protect water quality, limit sediment flows and reduce other risks on all land ownerships impacted by wildland fire.

**Priority:**  High  Medium  Low  N/A

## Mono County Community Development Department

PO Box 347  
Mammoth Lakes, CA 93546  
760.924.1800, fax 924.1801  
[commdev@mono.ca.gov](mailto:commdev@mono.ca.gov)

PO Box 8  
Bridgeport, CA 93517  
760.932.5420, fax 932.5431  
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### OUTSIDE REVIEW OF SAFETY ELEMENT UPDATE Mono County Response to Board of Forestry Letter

In accordance with California government code section 65302.5 prior to adoption or amendment of a draft safety plan element, the County has circulated copies of the draft element for review and comment to the California Geological Survey of the Department of Conservation, the California State Board of Forestry and Fire Protection and all local fire protection agencies. After circulation of the draft element, the County did not receive a response from the California Geological Survey or from any of the local fire protection districts. The Board of Forestry and Fire Protection did provide a response in a letter dated October 7, 2015. GC §65302.5 continues by requiring the Board of Supervisors to consider the recommendations made by the Board of Forestry and communicate in writing back to the Board of Forestry its reasons for not accepting any of the recommendations.

The Board of Forestry comment letter contained 37 standard recommendations, 23 of which were deemed applicable by the Board of Forestry to Mono County. The following analysis includes all the applicable Board of Forestry recommendations and a brief response regarding the County's proposed acceptance of the recommendation. It is important to note that the Board of Forestry includes referenced documents as part of their safety element review including the Land Use Element Chapter 22 "Fire Safe Regulations", the Local Hazard Mitigation Plan (LHMP), the Emergency Operations Plan (EOP) and the Community Wildfire Protection Plan (CWPP).

**1. (1.2) Recommendation:** Include descriptions of emergency services including available equipment, personnel, and maps of facility locations.

Recommendation Accepted: The General Plan Map (online) has been updated to include emergency facility locations, descriptions of equipment and personnel will be updated in the subsequent EOP and LHMP updates.

**2. (1.2) Recommendation:** Initiate studies and analyses to identify appropriate staffing levels and equipment needs commensurate with the current and projected emergency response environment.

Recommendation Accepted: An analysis of appropriate staffing levels and equipment needs will be included in subsequent updates to the EOP.

**3. (1.2) Recommendation:** Establish goals and policies for emergency service training that meets or exceeds state or national standards.

Recommendation Accepted: Goals and policies regarding training are incorporated into the CWPP and will be updated during the scheduled and funded 2016 update of the CWPP.

**4. (2.1) Recommendation:** Specify whether the entity has a Very High Fire Hazard Severity Zones (VHFHSZ) designation pursuant GC §51175 and include a map of the zones that clearly indicates any area designated VHFHSZ.



Recommendation Accepted: CALFIRE Fire hazard zones have been added to the online General Plan Map in addition to web-links to CALFIRE mapping resources.

**5. (2.1) Recommendation:** Adopt CALFIRE recommended Fire Hazard Severity Zones (FHSZs) including model ordinances developed by the Office of the State Fire Marshal for establishing VHFHSZ areas.

Note: Both NA and High priority boxes are checked.

Recommendation Partially Accepted: The FHSZs have been added to the Mono County General Plan Map online. The Mono County Land Use Element (LUE) Chapter 22 Fire Safe Regulations apply to all State Responsibility Area (SRA) lands regardless of FHSZ and as there is a very limited amount of Local Responsibility Area (LRA) lands within the County and none within the VHFHSZ, the County feels that formally adopting the CALFIRE FHSZ maps would provide no additional utility.

**6. (2.2) Recommendation:** Adopt fire safe development codes to be used as standards for fire protection for new development in Very High Fire Hazard Severity Zones (VHFHSZ) within the entity's jurisdiction that meet or exceed statewide standards in 14 California Code of Regulations Section 1270 et. seq. and have them certified by the Board of Forestry.

Recommendation Accepted: LUE Chapter 22 Fire Safe Regulations are applicable to all of the private land in Mono County, comply with statewide standards and will be sent for certification by the BOF after adoption.

**7. (2.2) Recommendation:** Establish goals and policies for specific ordinances, or specify the current existing ordinances, code sections, or regulations, that address evacuation and emergency vehicle access; water supplies and fire flow; fuel modification for defensible space; and home addressing and signing.

Recommendation Accepted: See response above.

**8. (2.2) Recommendation:** Consider mitigation of previously developed areas that do not meet Title 14 California Code of Regulations Section 1270 et. seq. or equivalent local ordinance.

Recommendation Accepted: This is an important and challenging regulatory issue and is being addressed by policy in the CWPP and implemented primarily by local fire protection districts and fire safe councils.

**9. (2.3) Recommendation:** Develop pre-plans for fire prone areas that address civilian evacuations to temporary safety locations.

Recommendation Accepted: A comprehensive evaluation of community access and evacuation routes is programmed for 2016 and will be incorporated into the CWPP and Safety Element where relevant.

**10. (2.4) Recommendation:** Establish goals and policies that create wildfire defense zones for emergency services, including fuel breaks or other staging areas where WUI firefighting tactics could be most effectively deployed.

Recommendation Accepted: Goals and policies establishing wildfire defense zones for emergency services will be included in subsequent updates of the EOP and the programmed 2016 update of the CWPP.

**11. (2.5) Recommendation:** Identify and prioritize protection needs for assets at risk in the absence of response forces.

Recommendation Accepted: Goals and policies that identify and prioritize protection needs for assets at risk in the absence of response forces will be included in subsequent updates of the EOP and the programmed 2016 update of the CWPP.

**12. (2.5) Recommendation:** Establish fire defense strategies (such as fire ignition resistant areas) that provide adequate fire protection without dependency on fire resources (both air and ground) and could serve as safety zones for the public or emergency support personnel.

Recommendation Accepted: Fire defense strategies will be included in subsequent updates of the EOP and the programmed 2016 update of the CWPP.

**13. (3.1) Recommendation:** Adopt building codes for new development in State Responsibility Areas or incorporated areas with VHFHSZ that are based on those established by the Office of the State Fire Marshal in Title 19 and Title 24 CCR, referred to as the “Wildland Urban Interface Building Codes.”

Recommendation Accepted: Mono County has adopted and enforces the 2013 California Building Code (CBC) throughout the county. The CBC and LUE Chapter 22 include requirements for fire resistive construction and residential fire sprinklers for all new construction regardless of the hazard zone.

**14. (3.1) Recommendation:** Ensure new development proposals contain specific fire protection plans, actions, and codes for fire engineering features for structures in VHFHSZ. Examples include codes requiring automatic sprinklers in VHFHSZ.

Recommendation Accepted: See response above.

**15. (3.4) Recommendation:** Identify and map existing housing structures that do not conform to contemporary fire standards in terms of building materials, perimeter access, and vegetative hazards in VHFHSZ or SRA by fire hazard zone designation.

Recommendation Accepted: This is an important and challenging regulatory issue and is being addressed by policy in the CWPP and implemented primarily by local fire protection districts and fire safe councils.

**16. (3.4) Recommendation:** Identify plans and actions to improve substandard housing structures and neighborhoods. Plans and actions should include structural rehabilitation, occupancy reduction,

demolition, reconstruction, neighborhood-wide fuels hazard reduction projects, community education, and other community based solutions.

Recommendation Accepted: This is an important and challenging regulatory issue and is being addressed by policy in the CWPP and implemented primarily by local fire protection districts and fire safe councils.

**17. (4.1) Recommendation:** Identify critical natural resources and other “open space” values within the geographic scope of the General Plan.

Recommendation Accepted: Much of the General Plan and its supporting documents and technical studies, particularly the Conservation/Open Space Element, Land Use Element, Environmental Impact Report and supporting documents, such as the biological assessment and Master Environmental Assessment, is dedicated to the preservation of the unique natural resources and open space values of Mono County.

**18. (5.1) Recommendation:** Establish goals and policies for adequate access in Very High Fire Hazard Severity Zones that meet or exceed standards in Title 14 CCR 1270 for lands with no structures, and maintain conditions of access in a suitable fashion for suppression access or public evacuation.

Recommendation Not Accepted: We respectfully disagree with this recommendation. The County does not promote the establishment or improvement of vehicular access to vacant lands (lands with no structures) where access is currently limited or non-existent.

**19. (5.3) Recommendation:** Identify goals and policies that address vital access routes that if removed would prevent fire fighter access (bridges, dams, etc.). Develop an alternative emergency access plan for these areas.

Recommendation Accepted: A comprehensive evaluation of community access and evacuation routes is programmed for 2016 and will be incorporated into the CWPP and Safety Element where relevant.

**20. (5.4) Recommendation:** Establish goals and policies for proposed and existing transportation systems to facilitate fire infrastructure elements such as turnouts, helispots and safety zones.

Recommendation Accepted: In addition to existing regulations including the LUE Chapter 22, a comprehensive evaluation of community access and evacuation routes is programmed for 2016 and will be incorporated into the CWPP and Safety Element where relevant.

**21. (6.1) Recommendation:** Reevaluate hazardous conditions and provide for future fire safe conditions. Evaluate redevelopment in high or very high fire hazard severity zones.

Recommendation Accepted: Mono County has adopted and enforces the 2013 California Building Code (CBC) throughout the county. The CBC and the LUE Chapter 22 include requirements for fire resistive construction and residential fire sprinklers for all new construction including redevelopment regardless of the hazard zone.

**22. (6.1) Recommendation:** Provide polices and goals for maintenance of the post-fire recovery projects, activities, or infrastructure.

Recommendation Accepted: Goals and policies for post-fire recovery will be included in subsequent updates of the EOP and the programmed 2016 update of the CWPP.

**23. (6.2) Recommendation:** Develop frameworks for rapid post-fire assessment and project implementation to minimize flooding, protect water quality, limit sediment flows and reduce other risks on all land ownerships impacted by wildland fire.

Recommendation Accepted: Frameworks for rapid post-fire assessment and project implementation will be included in subsequent updates of the EOP and the programmed 2016 update of the CWPP.

Date: October 1, 2015

To: Mono County Planning Commission  
 From: Larry Johnston, District 1 Supervisor  
 Re: General Plan Update Considerations

Dear Commissioners,

I am commenting on the Draft General Plan Update upon which you will soon be recommending. I view this Update as an opportunity to help solidify the direction of Mono County well into the future. It should be noted that the staff has done a wonderful job overall in preparing and forwarding the update of the General Plan. But I have four major areas of policy which I would request your careful consideration.

#### NET ZERO ENERGY

The first policy area deals with energy. As you may be aware, the County has adopted a “net zero” energy goal for County operations; that is, the goal would eventually result in no net energy use by the County in its operations – ultimately becoming a self-reliant energy producer and user. This was adopted last year (2014) by the Board of Supervisors; a significant achievement. Although it is addressed to some degree in the General Plan, I believe the major goal of County operations (i.e., net zero energy use) should be much more emphatically stated in the General Plan. Present language gets lost in more generalized statements and tends to be buried in subordinate Objectives and Policies. Goal 16 (page V-45) is an example. It says “Improve energy efficiency in existing buildings,” which is good but words like “Encourage” and “Improve” and “Collaborate with Community Partners” are extremely weak as goals and policies if anything substantial is going to be achieved in the long run.

Not only should the goal of net zero energy use for County operations be more emphatically reiterated in the General Plan, but this major policy should be extended to the general public as a goal for all citizens and projects within the County. During the same time frame that the Board adopted the net zero energy use policy for County operations, we also instituted the PACE (Property Assessed Clean Energy) program which allows citizens the opportunity to finance energy conservation and production improvements via a tag-on to property tax payments (e.g., a solar system could be financed then paid back through the annual property tax payment process). A much stronger emphasis should be included in the General Plan so that if a development is proposed (such as a property subdivision) the criteria for approval includes requirements that would meet net zero energy use. As an example of weak language, the proposed Goal 17 (page V-47) reads “Reduce energy use in new construction and major renovations.” Nice but without real impact. Inclusion of a strongly worded goal would actually fit extremely well with the sustainability grant upon which this General Plan Update is being funded. We should not be afraid of clearly stating what we want in our General Plan if we are truly serious about our future.

#### LARGE SCALE ALTERNATIVE ENERGY PROJECTS

My second policy area also deals with energy, that is, the potential for commercial large scale energy production such as large wind farms and solar farms. The present draft language in the Draft General Plan attempts to address this issue but again does not clearly articulate what we want or what we will not accept. The draft language in one of the draft goals in the General Plan (Goal 11 page v-42) states: “Encourage appropriately scaled renewable energy generation for use within the county.” It is followed

by a weakly worded policy (Policy 11.A.2, page v-42) that approaches, but unnecessarily avoids, a strongly worded policy saying that Mono County does not want energy projects larger than 3 MW. Moreover, proposed Goal 12 (page v-43) more or less voids the supposed 3MW threshold by saying “Regulate development of large-scale wind and solar energy resources to ensure that environmental impacts are mitigated and the project is compatible with existing and planned land uses.” Why would we want to talk about regulating something that we don’t even want, even if it is on federal land?

We should clearly state as a major goal that: 1) Mono County is very opposed to all commercial scale (>3MW) alternative energy development anywhere in the county, 2) we support and advocate “distributed” alternative energy production (roof-top, individual ground-source geothermal, or similar), and 3) we support community scale (1-3 MW) projects only on previously disturbed lands (such as old mining sites or landfill sites). A preliminary list of such disturbed lands is attached.

We are a scenic wonderland and one of the last remaining vestiges mostly undisturbed landscapes in California if not the nation. Weakly worded or unspecific goals and policies would be of little use if a large scale energy project were to actually come forward.

#### OHV PROLIFERATION

My third policy area deals with the proliferating and promotion of off highway vehicle (OHV) use. As noted above, we are a scenic wonderland and known as “Wild by Nature” in our motto and in most of our daily pursuits. Most people come to Mono for human powered adventures such as skiing, hiking, biking, running, fishing, camping, photography, eco-touring, peace and quiet. These are the very pursuits for which most of us came here and why most of us stay. But it is becoming more and more apparent that the proliferation and promotion of OHV use (as opposed to the incidental use by locals) threatens the long term wild-by-nature County that we all enjoy and love. It is not merely the noise, fumes, dust, trail destruction, and habitat destruction that occurs, but the almost total displacement of other non-motorized uses. There are examples all around. Take the family tent camping in the upper Owens, whereupon an OHV prominent family camps next door – the once peaceful tent camping experience is transformed into a dusty, fummy, noisy experience. Ultimately there are no multiple uses where OHV use is promoted or allowed. And the proliferation gets worse with every passing year, every promotional piece, every OHV event, and every justification based on TOT production. Moreover, those charged with OHV enforcement are highly understaffed and seemingly unable to keep pace with the growth of OHV use. Promotion of OHV use flies in the face of sustainability, ironically sustainability being the very source of our General Plan update funding. Yet, unless you read deeply between the lines (e.g., “Protect natural resources and enhance public access.” P. II-30; “Expand tourism and marketing efforts.” P. II-41; “‘Combined’ enjoyment among users such as hikers, bicyclists, off-road vehicles, equestrians and runners shall be encouraged where practical.” P. II-46.) there is virtually nothing said about proliferation of OHV use anywhere in the Draft General Plan. Yet I believe it is one of the most serious threats we face; it’s almost a case of the Emperor not wearing clothes.

Proliferation and promotion of OHV use should be addressed outright in the General Plan and that the COUNTYWIDE VISION statement on page II-29 should be augmented to include a statement of our human-powered vision and that OHV proliferation is unwelcome and inconsistent with the parts of the vision statement that reads “The environmental and economic integrity of Mono County shall be maintained and enhanced through orderly growth, minimizing land use conflicts, supporting local tourist and agricultural based economies, and protecting the scenic, recreational, cultural and natural resources of the area.” In addition, County-sponsored promotional activities should cease as a general rule.

Further, the County should advocate that other agencies (such as the USFS) should limit the promotion of OHV use in their land use documents and policies, lest we become “Wild by Motor.”

#### RODEO GROUNDS

The fourth policy item deals with the June Lake Rodeo Grounds. I believe the development of an environmentally compatible resort project in June Lake is one of the best opportunities the county has for creating a sustainable economic environment for the region. It would substantially help the June Mountain Ski Area’s long term success as well as dovetail with Mammoth Mountain Ski Area operations. But the site of the Rodeo Grounds is problematic, being highly visible and not well connected to the June Mountain Ski Area. The ski area itself is in need of upgrading both in terms of facilities and visual presentation, particularly the main access lift and base facilities.

The General Plan should include the concept plans (already prepared) for a land trade that would change the location of resort development from the Rodeo Grounds site to the base area of June Mountain. As mentioned, the base area is in need of upgrading whether or not the present Rodeo Grounds development proceeds. The concept plan (incidentally, prepared by sustainability grant funding) would allow a much more compatible development on lands that are currently mostly already disturbed. A key feature to the plan is that it would integrate base area improvements directly in conjunction with resort development. Additionally, the ski-in, ski-out ability afforded by the concept plan is very desirable in ski area development and success. Most importantly, I believe there would be a much higher level of community support if the resort site were in the proper location at the base of the mountain.

Yes there would be the need to trade land that was already traded but that was done many, many years ago under different environmental and economic conditions. But good plans don’t just happen; they can be achieved if we take bold action to help make it happen.

Thank you for your careful review and consideration of these policy issues as well as others.

Sincerely,  
Larry Johnston

## Mono County Site Inventory

### Solar Energy Development – Potential Medium Scale (1 MV ± ) PV Sites

May, 2011

(Sites generally listed North to South)

1. Aucherberry (sp?) Pit
  - County-owned
  - Directly adjacent to 395, n. of Marine housing development
  - Lines nearby – NV Energy?
  - Large exposed/denuded hillside
  - Needs erosion abatement
  - 5± acres
  
2. Walker Landfill/Transfer Station
  - County-owned land – closed landfill /transfer station operations still open
  - Nearby transmission lines ~0.25 miles away
  - Relatively open exposure
  - Positive economic impact to area?
  - Road access ok
  
3. Walker Community Center / County Yard
  - County-owned land - currently open
  - Lines nearby
  - Rooftops of storage buildings could be retrofitted w/ PVs
  - 5±acres
  - Road access ok
  - Could power nearby county buildings
  
4. Mono County “Thou Shalt Not Steal” old aggregate pit (just n. of Caltrans at Sonora Jct)
  - County-owned land?
  - 5± acres?
  - Near 395 (1/2 mile n. of SR 108)
  - Nearby transmission lines ~0.25 miles away
  - Relatively open exposure
  - Road access Ok
  - Cal Trans operations ~.5 miles away
  
5. Bridgeport Landfill /transfer station
  - County-owned land (?) -closed landfill /transfer station operations still open
  - Nearby transmission lines ~0.3 miles away
  - Open exposure
  - Road access ok
  - Positive economic impact to area?



6. Bodie Road (RV Park site near Hwy 395)
  - 150 acres private property for sale
  - zoned specific plan for RV park
  - Road access ok
  - Conduit and/or undergrounded along Bodie Road
7. Hwy 167 (just north of Mono City) Aggregate Site
  - BLM-owned land (Caltrans site)
  - Lines nearby
  - Road access
  - Depressed land
8. Lee Vining sewage treatment site
  - DWP-owned land / LV PUD
  - Depressed land
  - Lines nearby
  - Road access fair
  - Could power nearby community center / other uses
9. Lee Vining Airport
  - DWP-owned land / county airport
  - Lines nearby ~0.5 miles
  - Road access ok
  - Disturbed land
  - Would need to work around FAA requirements
10. Granite Aggregate Site E. Hwy 120 (along s. side Rush Creek)
  - Private ownership / TBD – site used as aggregate pit
  - Lines nearby within ~0.25 miles
  - Could power operations Granite Construction Pit
  - Lots of depressed land (below grade of surrounding land)
  - Wide, open exposure
  - Road access on private road
11. Marzano Gravel Pit (along n. side Rush Creek)
  - Private ownership / TBD – site used as aggregate pit
  - Close to 395 w/ private road access
  - Lines nearby
  - Lots of depressed land (below grade of surrounding land)
  - Wide, open exposure
12. Mammoth Airport Pit
  - Federally-owned
  - Site used for construction debris (rocks, etc.)
  - LOTS of depressed, low lying land
  - Nearby lines ~.25 miles away
  - Road access over federal land

## 13. CA DFG Fish Hatchery

- Any extra, impacted, available land?
- State-owned
- Could power hatchery operations
- Adjacent lines
- Road access ok (?)

## 14. Pumice Valley Landfill

- DWP-owned land (County lease)
- No nearby transmission lines (3+ miles)
- Highly disturbed land
- Wide, open exposure
- Road access ok

## 15. Benton Transfer Station / old landfill site

- County-owned land (?) – closed landfill - transfer station still in operation
- ~5 acres
- Lines nearby ~.25 miles away
- Road access ok
- Positive economic impact to area?

## 16. Chalfant Transfer site/ old landfill site?

- County-owned – closed landfill - transfer station
- 5 acres?
- Lines nearby /on-site
- Road access ok

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**Site Selection Criteria** for consideration in ranking locations (not necessarily in ranked order):

- Previously impacted land / habitat
- Adjacent or near to existing power lines w/ available capacity
- 5+ contiguous acres
- South facing & no shading
- Amenable property owner (Mono County land preferred)
- Low impact on surrounding viewshed
- Existing road access
- Lowest habitat value
- Proximity to powered operations
- Appropriate surface & substrata
- Demonstration opportunities

Note: no contacts with property owners or lease holders have been made— preliminary inventory only.

**Wendy Sugimura**

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**From:** Larry Johnston  
**Sent:** Tuesday, September 29, 2015 6:12 AM  
**To:** Scott Burns  
**Cc:** Wendy Sugimura  
**Subject:** GP Draft EIR Comment

Scott,

I would like to comment on the draft General Plan EIR. My comments are in regard to two specific general plan amendments that are being integrated into the overall General Plan Update.

The first is the proposed allowance of industrial and heavy commercial uses on parcels larger than 5 acres in the Antelope Valley. This proposed change would allow industrial-like land use types in rural settings that are incompatible with the environmental conditions and livability of the area. For example, trucks, trailers, and other industrial businesses using heavy equipment, which would be allowable on a parcel immediately adjacent to a rural residential parcel, would create visual, dust, erosion, traffic, noise, lighting, and other similar impacts to the immediate environment. Heavy equipment maintenance activities could create oil spills, gasoline or fuel spills affecting the quality of the ground water and surface waters with virtually no oversight. Changes would likely effect wildlife with the degradation of wildlife habitats.

I believe these changes are environmentally significant and cannot be mitigated to less than significant levels. Also, this proposed change cannot be fully analysed environmentally at the level of a General Plan EIR and should be considered completely separate and subsequent to the present general plan update.

The second item of concern is the proposal to allow expanded commercialized home occupation uses in noncommercial areas. Similar to the proposed change above, this change will have impacts that cannot be analyzed at the general plan EIR level and should be considered as a separate general plan amendment.

Thank you for your consideration of these comments.

Larry Johnston

Sent from my Verizon Wireless 4G LTE Smartphone

**Regional Transportation Plan/General Plan Update  
Policy Issues Raised By Supervisor Johnston**

Nov. 12, 2015

### **Net Zero Energy**

Supervisor Johnston submitted a comment letter requesting stronger language to achieve net zero energy for County facilities and private development. The policies referenced are in the Conservation/Open Space Element and were developed through the Resource Efficiency Plan, which was based on the premise of encouraging and incentivizing energy (and greenhouse gas emission reduction) improvements rather than requiring or regulating such practices. This tactic was taken in recognition of public feedback that additional regulation could be, or be perceived as, prohibitive to new construction and/or renovations.

In addition, the California Building Code continues to increase energy efficiency requirements with each three-year code cycle, and is expected to require net zero energy by 2020 for new residential construction and 2030 for new commercial construction. The California Building Code provides Green Building Code "Tiers" referred to as "reach codes" as frameworks for achieving energy (and water) conservation practices in advance of State mandates. At this time, net zero energy regulation is not expected for renovations; however, building code cycles requiring increased energy efficiency will continue to apply.

The first consideration should be whether stronger policy language, requirements, and regulations are desired to achieve net zero energy. If so, the recommendation is to craft language for consideration by the Regional Planning Advisory Committees (RPACs) and the Planning Commission before consideration and adoption by the Board of Supervisors.

### **Large-Scale Alternative Energy Projects**

Supervisor Johnston requests consideration of stronger language to prohibit large-scale renewable energy projects. Goal 11 in the Conservation/Open Space Element is cited as lacking strong oppositional language, and Goal 12 as inconsistent with Goal 11 because it allows for large-scale alternative energy projects under certain regulatory conditions.

The Board of Supervisors has consistently provided staff with direction to prevent large-scale alternative energy projects on public and private lands. With a focus of encouraging and incentivizing, the proposed Goal 11 language focuses on defining the type of desired alternative energy generation. Goal 12 reflects existing General Plan language, and standards were added rather than an outright prohibition since these projects would likely occur on public lands outside the County's jurisdiction and/or may be pre-empted by state law. Setting forth standards and conditions for these types of projects provides a substantive framework for the County to submit comments on projects.

If stronger language is desired, the following modifications are recommended:

**Policy 11.A.3.** Oppose commercial-scale (e.g., >3MW) solar and wind energy projects in Mono County to protect visual, recreational, and wildlife habitat and biological resources, and the noise environment.

**Action 11.A.3.a.** Where pre-empted by state law or other jurisdictional authority, ~~W~~work with applicable agencies to avoid, minimize and mitigate the impacts to the environmental, visual,

recreational, wildlife habitat and noise environment within the county, ~~for alternative energy development on federal, state, LADWP or other agency lands.~~

**Action 11.A.3.ba.** Advocate for no adverse project impacts to the visual, recreational, and noise environment in Mono County, ~~and oppose any project with impacts.~~

**Action 11.A.3.cb.** Advocate for no adverse projects impacts to biological resources and wildlife habitat in Mono County, including sage grouse habitat and wind energy development impacts to migratory birds, ~~and oppose any project with impacts.~~

**~~GOAL 12. Regulate development of large-scale wind and solar energy resources to ensure that environmental impacts are mitigated and the project is compatible with existing and planned land uses.~~**

**~~Objective 12.A.~~**

~~Large-scale solar and wind energy facilities shall not adversely impact the visual, recreational, and wildlife habitat resources, and noise environment in Mono County.~~

~~**Policy 12.A.1.** Project conditions shall require compliance with all applicable provisions of the Conservation/Open Space Element and the Noise Element.~~

~~**Policy 12.A.2.** Wind energy facilities shall not adversely affect wildlife.~~

~~**Action 12.A.2.a.** Wind energy facilities shall be sited so as to avoid flight paths of migratory birds.~~

## **OHV Proliferation**

Supervisor Johnston requests consideration of policies to discourage “off-highway vehicle (OHV) proliferation,” including an amendment to the Countywide Vision Statement. As cited in Supervisor Johnston’s letter, OHV activity is typically included in lists of examples referencing recreation, tourism, and sometimes trails throughout the Land Use Element, Regional Transportation Plan, and Trails Plan. The General Plan language does not obligate the County to specific commitments, or necessarily advocate for OHV activities. Instead, the language acknowledges OHV use as part of the mix of activities in Mono County and suggests exploring potential opportunities such as combined-use roads (which will be considered in the Mono County Strategic Plan discussion).

Public feedback on OHV activity tends to be mixed with both strong support and opposition, varies geographically across the county, and is expected to be highly controversial any time it is raised. For example, Paradise planning area policies clearly discourage OHVs, June Lake policies support this activity outside the Loop and recognize the importance of connecting to these trails, while North County communities (Bridgeport and Antelope Valley) tend to be more supportive.

If stronger language is desired, the recommendation is to provide clear direction to staff about the conversation to initiate with the RPACs, and then develop policy through the RPACs and Planning Commission for future consideration by the Board of Supervisors.

## **Rodeo Grounds**

The concept plan for June Mountain referenced in Supervisor Johnston’s letter is attached. Historically, a development concept for the base of June Mountain dates as far back as the conceptual 1974 *June Lake Loop*

*General Plan.* During the land exchange with the US Forest Service, the Community Development Department's understanding is that the transfer of the June Mountain base area into private ownership was considered but rejected due to resource values of the land (e.g., wetlands). With the completion of the land exchange, the likelihood of a private development at the base of June Mountain substantially decreased, and subsequent proposals focused on the current Rodeo Grounds parcels across the street.

The referenced concept plan was developed in 2013 during a transition between land owners and development ideas at the Rodeo Grounds. While it was floated to the community, property owner, and June Mountain Ski Area, the plan was never fully vetted for development consideration. However, as a concrete vision of the potential for development at the base of June Mountain, it could be incorporated into General Plan policies for future consideration through a public process, which would also be consistent with the objectives of the General Plan Update.

If incorporation of the June Mountain base area concept plan is desired, the following potential policy language is suggested for inclusion in the Land Use Element:

**Policy 13.J.2.** Develop a major commercial/recreational node across from the June Mountain Ski Area. This node may include retail outlets such as convenience stores, gift shops and sporting goods outlets oriented to visitors and residents, and other uses such as restaurants, night-time entertainment facilities such as night clubs and movie theaters. A smaller neighborhood commercial node may also be appropriate elsewhere in the specific plan area, if the need can be demonstrated and a physically suitable and compatible site can be identified in the specific plan.

**Action 13.J.2.a.** Work with developers through the specific plan process.

**Action 13.J.2.b.** Explore locating resort and residential development at the base of June Mountain Ski Area through conversations with the community, June Mountain, US Forest Service and other stakeholders, and consider the "Conceptual Plan, June Mountain Ski Base Facilities" (2013).

### **Extension of Dark Sky Ordinance North of Mountain Gate**

The Dark Sky Ordinance (Chapter 23 of the Land Use Element), which requires down-shielded or low-wattage exterior light fixtures to preserve the ability to observe and enjoy the night sky, does not apply north of the Mountain Gate property on the West Walker River to the county line, effectively excluding the Antelope Valley. One comment letter suggested extending the regulation to the entire county (see comment letter #9 in the Final Environmental Impact Report [FEIR]), and the policy issue has been raised intermittently at RPAC, Planning Commission, and Board discussions over the years.

As noted in the FEIR, the exclusion reflects community consensus that was expressed in meetings with the Antelope Valley RPAC when the Dark Sky regulations were being developed, but was not raised by the Antelope Valley RPAC during area policy revisions for this General Plan Update. Community discussions over time anecdotally continue to support the current language, and a change is expected to be controversial.

Valid reasons exist for both retaining the current regulation and extending it to include the Antelope Valley. If there is a desire to extend the regulation, the recommendation is to direct staff to initiate a focused discussion with the RPAC and Planning Commission, and bring the issue back to the Board of Supervisors for future consideration.

## **Industrial and Heavy Commercial Equipment Storage**

Separate from the letter addressed to the Planning Commission, Supervisor Johnston also raised concern about allowing the storage and use of industrial and heavy commercial equipment on parcels larger than five acres in the Antelope Valley.

General Plan amendment 11-002, adopted by the Board of Supervisors on February 7, 2012, included several dozen minor changes to the Land Use Element including a provision to allow for the storage of heavy equipment on parcels greater than five acres in the Antelope Valley for personal on-site use or community benefit. Environmental impacts of the policy change were analyzed with an addendum to the General Plan EIR, impacts specifically attributed to the heavy equipment policy change were considered to be "less-than-significant and reasonably ascertained without additional analysis."

If any policy modifications are desired, the recommendation is to craft language for consideration by the Regional Planning Advisory Committees (RPACs) and the Planning Commission before consideration and adoption by the Board of Supervisors.

## **Expanded Home Occupation**

Separate from the letter addressed to the Planning Commission, Supervisor Johnston also raised concern about allowing expanded home occupation uses in non-commercial areas. General Plan amendment 11-002, adopted by the Board of Supervisors on February 7, 2012 included several dozen minor changes to the Land Use Element including a provision that allowed for an expanded home occupation permit to be granted by the Planning Commission when a proposed home occupation cannot operate within the requirements of Land Use Element Section 04.290 A-H. Environmental impacts of the policy change were analyzed with an addendum to the General Plan EIR, impacts were considered to be less than significant as explained in the following discussion:

*The proposal to ease regulations to home occupations may produce impacts to the environment. The primary impacts are expected to be to traffic and community character in neighborhoods where home occupations proliferate, but those impacts are expected to be less than significant.*

*In considering the possible impacts of the proposed changes, one must consider the existing baseline of home occupations within the county. Although many of the existing home occupations are not in compliance with the letter of the existing home occupation requirements, they are for the most part proceeding without significant impacts or complaints from surrounding property owners.*

*The intent of the proposed changes is to create an environment where certain home occupations that are already known to operate without significant impacts will be able to operate legally into the future.*

*The proposal would essentially legalize the existing baseline, so additional impacts would be less than significant.*

*By creating a process through which interested parties can apply for an "Expanded Home Occupation" permit, the proposal places the responsibility of environmental review on the types of home occupations that may cause significant impacts. In this way, the County provides opportunity for project-specific*

*analysis and does not burden the general public with review of potential impacts of unknown future proposals.*

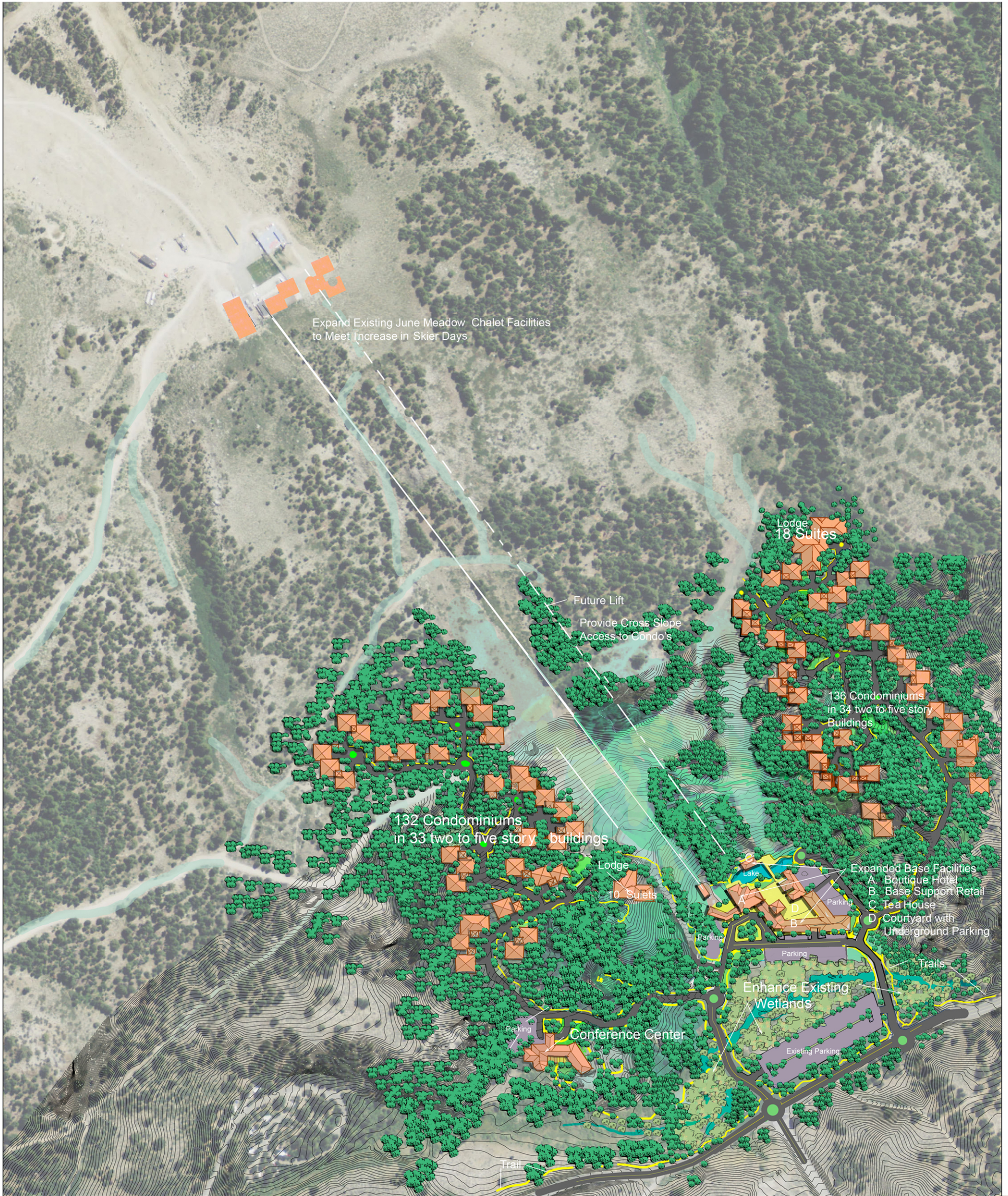
The current General Plan update includes the following proposed language requiring the Planning Commission to make specific findings to ensure Expanded Home Occupation Permits do not result in unforeseen significant environmental impacts.

*Expanded Home Occupation permit may be granted by the Planning Commission only when all of the following findings can be made in the affirmative:*

- 1. That the proposed use is consistent with this General Plan and any applicable area plans or specific plans;*
- 2. That the proposed use is compatible with the intent of the land use designation and is applicable throughout the county in that designation;*
- 3. That the use is capable of meeting the standards and requirements of that designation; and*
- 4. That the use will be similar to and not be more obnoxious to the general welfare (e.g., health, safety, noise, traffic generation) than the uses listed within the designation.*

If any policy modifications are desired, the recommendation is to craft language for consideration by the Regional Planning Advisory Committees (RPACs) and the Planning Commission before consideration and adoption by the Board of Supervisors.





## Conceptual Plan June Mountain Ski Base Facilities

Prepared For : County of Mono  
 Scott Burns, Community Development Director  
 Mammoth Lakes, California 93546

Prepared By : Bauer Planning & Environmental Services  
 P.O. Box 9222  
 Mammoth Lakes, California 93546



**RESOLUTION 15-05**

**A RESOLUTION OF THE MONO COUNTY PLANNING COMMISSION  
RECOMMENDING THAT THE BOARD OF SUPERVISORS  
CERTIFY THE FINAL EIR FOR THE 2015 MONO COUNTY REGIONAL  
TRANSPORTATION PLAN, GENERAL PLAN, COUNTYWIDE  
INTEGRATED WASTE MANAGEMENT PLAN, AND NOISE ORDINANCE  
UPDATES (THE “2015 UPDATES”), APPROVE AND ADOPT  
THE MITIGATION MONITORING AND REPORTING PROGRAM,  
ADOPT THE 2015 UPDATES, AND REPEAL THE CONWAY RANCH SPECIFIC PLAN**

**WHEREAS**, between 2010 and 2015, the Planning Division of the Mono County Community Development Department (hereinafter “ Staff”) conducted extensive public outreach via the Regional Planning Advisory Committees and the June Lake Citizens Advisory Committee, performed a detailed internal review, and consulted with various agency planning partners and others for the purpose of identifying issues within the Mono County General Plan in need of update or revision; and

**WHEREAS**, while that effort was ongoing, supporting grant funds were secured to help offset impacts to the general fund, on January 22, 2013, the Board of Supervisors formally directed Staff to commence preparation of an update to the Mono County General Plan by adoption of Resolution R13-05, initiating what was then referred to as General Plan Amendment 13-1; and

**WHEREAS**, the County General Plan includes, as part of its Circulation Element, the Mono County Regional Transportation Plan (RTP), and historically has included components of the Countywide Integrated Waste Management Plan (CIWMP) as a part of its Hazardous Waste Management Element; accordingly, these plans were also reviewed and analyzed for potential update; and

**WHEREAS**, finally, as a part of the review process, a need to update the County’s Noise Ordinance, which is utilized in conjunction with a variety of General Plan policies and actions and applies to projects and activities throughout the county, as well as to repeal the Conway Ranch Specific Plan (in conjunction with the General Plan update re-designating the property as Open Space), were identified; and

**WHEREAS**, incorporating the information developed and gathered since 2010, draft updates to the General Plan (including the RTP and the designation of Conway Ranch as primarily Open Space and related repeal of the Specific Plan), the CIWMP (now a document separate from the General Plan) and the Noise Ordinance (collectively the “2015 Updates”) were prepared; and

**WHEREAS**, in accordance with the requirements of the California Environmental Quality Act (CEQA) a Notice of Preparation (NOP) of Environmental Impact Report for the 2015 Updates was released on June 6, 2014; and

**WHEREAS**, a Draft Environmental Impact Report (Draft EIR) for the 2015 Updates was circulated for a 60-day public review and comment period starting July 31, 2015, and ending September

1 29, 2015, and was provided to the entities and agencies set forth in California Government Code §65352  
 2 et seq.; and

3 **WHEREAS**, from late August to the end of October of 2015, County Staff conducted 15 publicly  
 4 noticed meetings/workshops, including three specifically for the Spanish-speaking public, regarding the  
 5 2015 Updates throughout the county with regional planning advisory committees, agencies, the  
 6 Collaborative Planning Team, Planning Commission, Local Transportation Commission and the Board of  
 7 Supervisors; and

8 **WHEREAS**, the County received public comments regarding the 2015 Updates and the Draft EIR,  
 9 both in written form and at public meetings, which have been addressed and/or responded to in the proposed  
 10 Final Environmental Impact Report (Final EIR), no request for tribal consultation was made; and

11 **WHEREAS**, on November 12, 2015, the Planning Commission held a duly-noticed public hearing  
 12 regarding the 2015 Updates and related Final EIR approval; and

13 **WHEREAS**, having reviewed and considered all the information and evidence presented to it,  
 14 including public testimony, written comments, the Final EIR, and staff reports and presentations, the  
 15 Planning Commission recommends that the Board of Supervisors make required findings, certify the Final  
 16 EIR for the 2015 Updates, adopt the Mitigation Monitoring and Reporting Program (MMRP) and adopt the  
 17 2015 Updates.

18 **NOW, THEREFORE, THE MONO COUNTY PLANNING COMMISSION HEREBY  
 19 FINDS, RESOLVES, AND RECOMMENDS AS FOLLOWS:**

20 **SECTION ONE:** The Planning Commission finds that a Final EIR has been prepared for the  
 21 2015 Updates in compliance with CEQA and that the Final EIR reflects the County's independent  
 22 judgment and analysis. The Planning Commission further finds that the Final EIR has been presented to,  
 23 and reviewed by the Planning Commission and is adequate and complete for consideration by the Board  
 24 of Supervisors in making a decision on the merits of the 2015 Updates, including making the findings  
 25 substantially in the form set forth in **Exhibit A**, which is attached hereto and incorporated by this  
 26 reference.

27 **SECTION TWO:** The Planning Commission recommends that the Board of Supervisors: 1)  
 28 make the findings and statement required by 14 CCR §§ 15091 and §15093, substantially in the form set  
 29 forth in **Exhibit A**; 2) find that the updated Noise Ordinance, the Right To Farm Regulations (Land Use  
 30 Element [LUE] Chapter 24), and the Parking regulations (LUE Chapter 06) will substantially mitigate  
 their respective impacts when applied to future projects; 3) certify the Final EIR; and 4) adopt the  
 Mitigation Monitoring and Reporting Program for the 2015 Updates.

**SECTION THREE:** The Planning Commission further finds that the 2015 Updates, including  
 all text changes to the Land Use Element of the Mono County General Plan, is consistent with the  
 General Plan and all applicable area plans and recommends that the Board of Supervisors adopt GPA 15-  
 003 (formerly referred to as GPA 13-1), the Mitigation Monitoring and Reporting Program (MMRP), the  
 2015 Countywide Integrated Waste Management Plan, and the updated Noise Ordinance, and repeal the  
 Conway Ranch Specific Plan.

1 PASSED AND ADOPTED THIS 12<sup>TH</sup> DAY OF NOVEMBER 2015, BY THE FOLLOWING

2 VOTE:

3 AYES:

4 NOES:

5 ABSENT:

6 ABSTAIN:

7

8

\_\_\_\_\_  
Rodger B. Thompson  
Chair, Mono County Planning Commission

9

10

11 Attest:

Approved as to form:

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13 \_\_\_\_\_  
Clerk of the Commission

\_\_\_\_\_  
Stacey Simon, Assistant County Counsel

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**EXHIBIT A**  
**FINDINGS OF FACT AND**  
**STATEMENTS OF OVERRIDING CONSIDERATIONS**

*for the proposed 2015 County of Mono  
Regional Transportation Plan, General Plan, Countywide Integrated Waste Management  
Plan, and Noise Ordinance Updates; and Repeal of the Conway Ranch Specific Plan*

**I. INTRODUCTION**

CEQA §15091 requires the Lead Agency to make one or more written findings for each significant effect, along with a brief statement of the rationale for each finding. The possible findings include: (a) Changes or alterations have been incorporated into the project that can avoid or substantially lessen the significant environmental effect as identified in the final Environmental Impact Report (EIR); (b) Such changes are within the responsibility and jurisdiction of another public agency and have or should be adopted by that other agency; (c) Specific economic, legal, social, technological or other considerations make infeasible the mitigation measures or alternatives identified in the EIR. These findings are made in Section VI.

When a Lead Agency approves a project that will result in significant adverse effects that will not be avoided or substantially lessened, the Agency is required to balance the unavoidable environmental risks against the economic, legal, social, technological, or other benefits associated with the project. California Environmental Quality Act (CEQA) §15093(b) states that if the Lead Agency decision-makers find that the benefits outweigh the unavoidable adverse effects, then the adverse effects may be considered to be “acceptable.” The process of balancing adverse effects against potential benefits requires Mono County to make written Findings, and to adopt a Statement of Overriding Considerations.

In accordance with §15093 of the CEQA Guidelines Section VII contains a Statement of Overriding Considerations, which explains how the Mono County Board of Supervisors, as the decision-making body of the County, weighed the significant and potentially significant impacts identified in the EIR prepared for the *2015 County of Mono Regional Transportation Plan, General Plan, Countywide Integrated Waste Management Plan, and Noise Ordinance Updates; and Repeal of the Conway Ranch Specific Plan* (herein after *2015 Updates and Repeal of the Conway Ranch Specific Plan*), against the potential benefits associated with the project. A summary table of contents is provided below.

<b>SECTION NUMBER</b>	<b>SECTION HEADING</b>	<b>PAGE NUMBER</b>
I	Introduction	1
II	FEIR Background and Process	1
III	Significant Unavoidable Adverse Effects of the Project	2
IV	Administrative Record of Proceedings	2
V	Consideration of the Administrative Record	3
VI	Findings Regarding Significant and Unavoidable Effects	3
VII	Statement of Overriding Consideration	43
VIII	Conclusions	48

**II. FEIR BACKGROUND AND PROCESS**

The *2015 Updates and Repeal of the Conway Ranch Specific Plan Final EIR* culminates a multi-year process to update all of the County's General Plan elements, the Regional Transportation Plan (RTP), three elements of the Countywide Integrated Waste Management Plan, and the Noise Ordinance, and repeal the Conway Ranch Specific Plan. The General Plan and RTP updates, as well as annual reviews, are mandated by state law, which requires every

city and county in California (except Charter cities) to prepare and maintain a planning document called a general plan. The formal EIR process was initiated on 6 June 2014 when the County circulated a Notice of Preparation (NOP) of an EIR. A scoping meeting was held on 19 June 2014 and the NOP review period closed on 11 July 2014. Three written comments were received on the NOP, including letters from the Lahontan Regional Water Quality Control Board, the California Department of Transportation, and the California Department of Parks and Recreation.

Concerns raised in response to the NOP were incorporated into the scope of the Draft EIR analysis. The County subsequently issued the Draft EIR for a 60-day public review and comment period that began on 31 July 2015 and ended on 29 September 2015. The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. By the close of the DEIR review and comment period, the County had received a total of 14 comment letters regarding the *2015 Updates and Repeal of the Conway Ranch Specific Plan* and Draft EIR from public agencies, organizations and members of the public. In accordance with CEQA §15088, a Final EIR was prepared that responded to all written comments received.

### III. SIGNIFICANT UNAVOIDABLE ADVERSE EFFECTS OF THE PROJECT

Analyses provided in the EIR indicate that approval and implementation of the *Draft 2015 Updates and Repeal of the Conway Ranch Specific Plan* may result in significant and unavoidable adverse environmental effects including:

- *Impacts to Candidate, Sensitive, Special Status Species*
- *Impacts to Riparian Habitat*
- *Impacts to Federally Protected §404 Wetlands*
- *Interfere with Fish or Wildlife Movement or Migration*
- *Conflict with Local Biological Protection Ordinances*
- *Exposure to Seismic Effects and Unstable Geology*
- *Substantial Soil Erosion*
- *Loss of Mineral Resources*
- *Potential for Release of Hazardous Materials*
- *Inadequate Emergency Response*
- *Exposure to Wildland Fire Risks*
- *Exposure to avalanche, rockfall, storms, volcanism*
- *Impacts to Prehistoric or Historic Resources*
- *Impacts to Paleontological Resources*
- *Impacts to Sacred Lands*
- *Violation of Water Quality Objectives*
- *Violation of Waste Discharge Requirements*
- *Uncertain Availability of Adequate Water Supplies*
- *Erosion and Siltation from Altered Drainage*
- *Impacts on Recreational Facilities*
- *Impacts to Scenic Resources in a State Scenic Highway*
- *Degraded Visual Character or Quality*
- *Create new sources of Light and Glare*
- *Impacts on public fire and utility service*

### IV. ADMINISTRATIVE RECORD OF PROCEEDINGS

The Administrative Record serves as the basis on which the Mono County Board of Supervisors determines whether to certify environmental documents and approve or disapprove a proposed project. CEQA Statutes §21167.6(e) defines the contents of Administrative Record to include, as applicable, all of the following materials:

- Project application materials.
- All staff reports and related documents with respect to CEQA compliance and the action on the project.
- Any documentation related to findings, and Statements of Overriding Considerations.
- Any transcript or minutes of the proceedings at which the decision making body of the respondent public agency heard testimony, or considered any environmental document on the project; any transcript of proceedings before any advisory body to the decision making body.
- All notices issued by the respondent public agency to comply with CEQA and/or other laws.
- All written comments received in response to, or in connection with environmental documents prepared for the project, including responses to the notice of preparation.

- All written evidence or correspondence submitted to, or transferred from, the respondent agency with respect to compliance with CEQA or with respect to the project.
- Any proposed decisions or findings submitted to the decision making body of the respondent public agency by its staff, or the project proponent, project opponents, or other persons.
- The documentation of the final public agency decision, including the final environmental impact report, mitigated negative declaration, or negative declaration, and all documents, in addition to those referenced in (3) cited or relied on in the findings or in a statement of overriding considerations adopted pursuant to CEQA.
- Any other written materials relevant to the respondent agency's compliance with CEQA or to its decision on the merits of the project, including the initial study, any drafts of any environmental document, or portions thereof, which have been released for public review, and copies of studies or other documents relied upon in any environmental document prepared for the project and either made available to the public during the public review period or included in the respondent public agency's files on the project, and all internal agency communications including staff notes and memoranda related to the project or to compliance with CEQA.
- The full written record before any inferior administrative decision making body whose decision was appealed to a superior administrative decision making body prior to the filing of litigation.

CEQA §15074(c) requires that Findings must also specify the location and custodian of the administrative record. The administrative record of the *2015 Updates and Repeal of the Conway Ranch Specific Plan Final EIR* shall be maintained and shall be available for public review at 437 Old Mammoth Road, Suite P in Mammoth Lakes, California, and 74 School Street, Annex I in Bridgeport, California, under the custody of the Mono County Community Development Department.

## V. CONSIDERATION OF THE ADMINISTRATIVE RECORD

In adopting these Findings, Mono County as Lead Agency finds that the Final EIR was presented to the Board of Supervisors as the decision-making body, and that Board of Supervisors reviewed and considered the information in the Final EIR prior to certifying the *2015 Updates and Repeal of the Conway Ranch Specific Plan Final EIR* and approving the project. By these findings, this Board of Supervisors ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the Final EIR. The Board of Supervisors finds that the Final EIR was completed in compliance with the California Environmental Quality Act. The information and conclusions contained in the Findings, in the Statement of Overriding Considerations, and in the Final EIR reflect Mono County's independent judgment and analysis.

## VI. FINDINGS REGARDING SIGNIFICANT AND UNAVOIDABLE IMPACTS

- A. LAND USE.** No significant adverse impacts are foreseen and no Findings or Statement of Overriding Effects are required.
- B. CIRCULATION AND REGIONAL TRANSPORTATION PLANNING.** No significant adverse impacts are foreseen and no Findings or Statement of Overriding Effects are required.
- C. AIR QUALITY AND GREENHOUSE GASES.** No significant adverse impacts are foreseen and no Findings or Statement of Overriding Effects are required.

### A. BIOLOGICAL RESOURCES

1. *General Plan implementation could have substantial adverse impacts, directly and through habitat modifications, on species identified in local or regional plans, or by the California Department of Fish and Wildlife (CDFW) or the United States Fish and Wildlife Service (USFWS), as candidate, sensitive or special status species.*

- a. **POTENTIAL IMPACT:** The potential for the Project to result in substantial adverse effects on Candidate, Sensitive & Special Status Species is discussed on DEIR pages 4.4-30 through 4.4-46.
- b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant adverse project effects on Candidate, Sensitive & Special Status Species.
- c. **FINDINGS:** Based upon the entire administrative record the Mono County Board of Supervisors finds:
  - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. In addition, further policies and actions were developed in response to impacts identified during environmental review and incorporated directly into the project. These policies and actions have been included in the MMRP, are fully enforceable, and are listed below. However, even with the implementation of policies and actions that would reduce impacts on candidate, sensitive and special status species, the potential remains for significant adverse impacts.

#### MITIGATING POLICIES

**C/OS Action 2.A.3.c.** When applicable, revegetation and landscape plans should include provisions to retain and re-establish upland vegetation, especially bitterbrush and sagebrush, as important mule deer and sage grouse habitat.

**C/OS Action 2.A.3.h.** Maintenance agreements and procedures for roads and other infrastructure shall consider impacts to special-status species including consultation with appropriate state and federal agencies.

**RTP Policy 9.B.** Reduce the potential for wildlife collisions to improve transportation system safety.

**RTP Objective 9.A.7.** Seek funding for undercrossing passageways for mule deer where highways intersect traditional migratory routes to reduce collisions and animal mortality.

**RTP Objective 9.A.8.** Seek funding to widen existing undercrossing passageways for mule deer and other wildlife to reduce collisions and animal mortality.

**RTP Objective 9.A.9.** Incorporate measures in to the design of new roads and road upgrades to reduce collisions between vehicles and deer/wildlife, such as increasing driver line-of-sight and incorporating short sections of exclusion fencing that directs animals to areas of improved visibility.

**C/OS Action 13.C.4.d.** Seek ways to form partnerships that will facilitate mitigative control or eradication of invasive non-native plants in and around town areas. Identify and explore methods of forming collaborations, funding, and facilitating such programs.

**C/OS Action 2.A.1.b.** Project design should first seek to avoid impacts. Unavoidable impacts should next be minimized, and finally mitigated. Examples of potential appropriate mitigation measures for projects identified by Action 1.1 as having significant impacts to animal and plant habitats include:

- h. when wetland and riparian disturbance cannot be avoided, seek restoration of adjacent habitat or compensation through an acceptable mitigation fee or other program pursuant to CEQA requirements to meet §404 of the Clean Water Act;
- i. designing projects to limit the conveyance of pollutants and sediments from runoff into wetlands and riparian areas;



- j. requiring project design to minimize the redirection of wildlife movement, and in no case shall linear barriers such as fences or other design features direct wildlife onto highly traveled roadways;
- k. requiring projects with potential to impact nesting bird populations to consult with appropriate state and federal agencies, and potentially prepare a nesting bird plan approved by CDFW as a condition of approval;
- l. requiring development projects affecting and adjacent to wetland or riparian areas to undertake habitat restoration, including the removal of non-native species, when feasible, to ensure ecosystem function.

**C/OS Action 2.A.1.d.** Native vegetation is strongly encouraged for landscaping, erosion control, or other purposes. Use of non-native vegetation shall require an assessment and mitigation of the effects of the introduced species, and in no case shall invasive non-native species be approved.

**C/OS Action 2.A.1.e.** Landscaping and revegetation plans shall include measures to control invasive, non-native plants including weeds and annual grasses.

**C/OS Action 2.A.1.f.** For non-native plant removal, mechanical controls should be considered over chemical controls, where possible.

**C/OS Action 2.A.3.b.** Require landscape plans to incorporate the use of native vegetation when feasible. The transplanting of existing vegetation and use of locally collected seed may be required in the landscape plan.

**C/OS Action 13.C.4.b.** Revegetation plans should include measures to ensure the control of invasive, non-native plants including annual grasses.

**C/OS Action 13.C.4.c.** Revegetation plans should utilize plantings from local native stock, including adjacent riparian and wetland plants, and locally collected seed when feasible.

**LU Action 21.C.5.a.** Work with the appropriate agencies to develop and implement a raven mitigation plan for the landfill to protect sage-grouse populations.

**LU Action 1.A.3.d.** Consider requirements for bear-resistant trash receptacles in applicable community areas.

**C/OS Policy 4.A.5.** Projects within 30 feet of or that may otherwise impact wetland or riparian vegetation shall implement best management practices as recommended by the State Water Quality Control Board.

**C/OS Policy 4.A.7.** Continue to support "no net loss" of wetlands at a regional scale.

**RTP Policy 18.A.3.** Support preservation of the existing heritage trees along US 395 in a manner that ensures roadway safety.

**LU Action 24.F.3.f.** Engage with the California Department of Fish and Wildlife as the responsible agency for the protection and recovery of Sierra Nevada Bighorn Sheep prior to approving any new or renewed grazing use or altering any existing grazing use for domestic sheep.

**C/OS Action 2.A.1.r.** Work with the USFWS to ensure compliance with the Migratory Bird Treaty Act.

**C/OS Action 13.C.3.f.** Avoid siting cellular towers in Bi-State sage grouse habitat to the extent possible.

**LU Action 24.F.1.a.** CEQA analysis that considers direct and indirect impacts to sensitive biological resources at Witcher and Birch Creeks, including amphibians, will be required for any project that may impact these resources.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.

**Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate or reduce to a level that is less-than significant the potentially significant impacts on candidate and sensitive species would be to more severely restrict development potential in Mono County. Such a restriction would not meet the project objectives described on Draft EIR pages 3-2 and 3-3 and listed below. Impacts on candidate, sensitive and special status species thus represent a significant and unavoidable impact of the Project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives and provide economic, social, legal, and other considerable benefits as described in Section VII below.

#### **PROJECT OBJECTIVES**

- ***Update the General Plan and RTP and Provide Long-Term Planning Guidance:*** Provide updates that are consistent with the Mono County vision and goals, and provide the County with long-term planning guidance in the form of specific objectives, policies, goals and programs that balance employment, housing, public services, economic growth, and recreational opportunities with the need to protect and maintain the county's environmental resources. Ensure that the updates address changes in circumstances, community priorities, and new requirements of law.
- ***Respect Community Preferences & Private Property Rights:*** Ensure that the project and related planning efforts respect private property rights and the planning goals and objectives developed and recommended by the Mono County Planning Commission, Regional Planning Advisory Committees and communities. Within that framework, reflect the regional goals developed in collaboration with landowners, responsible and trustee agencies, regional planning partners, businesses and other stakeholders. Adopt policies and undertake programs that combine innovative planning and sound science with the values of Mono County residents to achieve a sustainable future.

- Protect the Outstanding Scenic, Recreational and Environmental Resources of Mono County: Consistent with the Vision of the Mono County General Plan, protect the outstanding scenic, biological and recreational values, and rural character of Mono County through environmentally responsible resource management, thorough analysis of potential impacts and alternatives and cumulative effects associated with the project and related planning initiatives, and cost-effective allocation of available funds.
- Facilitate Streamlining and Tiering of Future CEQA Documents and Provide Incentives for General Plan Compliance: Facilitate tiering of environmental documents to streamline CEQA compliance for future projects that conform to policies of the updated RTP and General Plan, consistent with the provisions of CEQA §15168(d). Encourage and support tiering as a means to reduce the cost and redundancy of CEQA compliance in Mono County while safeguarding environmental resources and encouraging projects that conform to the General Plan.
- Strengthen County Infrastructure: Incorporate policies that provide for sound and forward-looking development, management, and maintenance of capital facilities, communications facilities, and community services.
- Promote Resource Efficiency: The objective to achieve and maintain resource efficiency is an integral part of the proposed project, as expressed in policies and actions proposed for numerous elements of the 2015 Updates and Repeal of the Conway Ranch Specific Plan. Additional objectives are to reduce GHG emissions by a) adopting a GHG reduction goal consistent with AB 32, b) developing estimates of feasible GHG reductions, c) integrating feasible measures into the project as a set of adopted policies and specific actions, and d) complying with CEQA Guidelines §15183 to facilitate the assessment of future projects' compliance with adopted GHG policies and actions.
- Strengthen the Mono County Economy and Support Vibrant Rural Communities: As part of the current planning effort, the County has prepared an Economic Development Strategy that is intended to strengthen and enhance job opportunities and economic conditions throughout Mono County, and the initial principles and strategies are incorporated into the General Plan. As with many other project elements, the strategic plan includes strong provisions for multi-jurisdictional collaboration.

2. **General Plan implementation could have substantial adverse impacts, directly and through habitat modifications, on riparian habitats and other sensitive natural communities identified in local or regional plans, or by CDFW or USFWS.**
- a. **POTENTIAL IMPACT:** Potential for the Project to result in substantial adverse effects on riparian habitats and other sensitive natural communities is discussed on DEIR pages 4.4-47 through 4.4-49.
  - b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant adverse project effects on riparian habitats and other sensitive natural communities.
  - c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds that:
    - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. In addition, further policies and actions were developed in response to impacts identified during environmental review and incorporated directly into the project. These policies and actions have been included in the MMRP, are fully enforceable, and are listed below. However, even with the implementation of policies and actions that would reduce impacts on riparian habitats and other sensitive natural communities the potential remains for significant adverse impacts.

#### MITIGATING POLICIES

**C/OS Action 2.A.1.b.** Project design should first seek to avoid impacts. Unavoidable impacts should next be minimized, and finally mitigated. Examples of potential appropriate mitigation measures for projects identified by Action 1.1 as having significant impacts to animal and plant habitats include:

- h. when wetland and riparian disturbance cannot be avoided, seek restoration of adjacent habitat or compensation through an acceptable mitigation fee or other program pursuant to CEQA requirements to meet §404 of the Clean Water Act;

- i. designing projects to limit the conveyance of pollutants and sediments from runoff into wetlands and riparian areas;
- l. requiring development projects affecting and adjacent to wetland or riparian areas to undertake habitat restoration, including the removal of non-native species, when feasible, to ensure ecosystem function.

**C/OS Action 13.C.4.c.** Revegetation plans should utilize plantings from local native stock, including adjacent riparian and wetland plants, and locally collected seed when feasible.

**C/OS Policy 4.A.5.** Projects within 30 feet of or that may otherwise impact wetland or riparian vegetation shall implement best management practices as recommended by the State Water Quality Control Board.

**C/OS Policy 4.A.7.** Continue to support “no net loss” of wetlands at a regional scale.

**C/OS Action 3.E.1.b.** Applications for out-of-basin water transfers shall be submitted to the county Planning Division and shall include the following information: point of extraction; amount of extraction; nature and location of conveyance facilities; and identification of potential impacts to the environment such as wildlife and riparian habitat, wetlands, in-stream habitat, other water users (e.g., agricultural operators), and also including indirect effects such as the potential for increased flood risk due to reduced wetlands, and increased fire hazard risk that could result in increased sedimentation and reduced groundwater recharge capacity.

**C/OS Action 3.E.1.c.** In issuing a water transfer permit, the Planning Commission shall make the following findings: that the proposed project meets all reasonable beneficial water needs, including uses in-stream and for agricultural operations and recreational purposes, within the basin of origin; and that the proposed project adequately protects water quality, in-stream flows, lake levels, riparian areas, vegetation types, sensitive/rare wildlife and habitat, and related resources such as the visual quality and character of the landscape; and is not likely to increase indirect effects such as flooding, wildfire, and/or sedimentation, or reduce groundwater recharge capacity. Projects that do not adequately protect these resources shall be denied.

**C/OS Policy 3.E.2.b.** Applications for groundwater export projects shall obtain a Groundwater Transfer permit (Mono County Code section 20.01), which requires the assessment of the potential impacts of the project prior to project approval in accordance with CEQA, and requires findings to be made. In addition, indirect impacts of increased wildfire risk and sedimentation resulting from fire, and increased flood risk and reduced recharge rates due to reduced or degraded wetlands and riparian areas, should be considered.

**C/OS Policy 4.A.6.** Discourage development within 30 feet of recharge, riparian, and wetland areas to minimize trampling, erosion and siltation impacts, and consider amending the General Plan to specify use and setback requirements. Continue to enforce setback requirements from surface waters.

**LU Action 24.F.1.a.** CEQA analysis that considers direct and indirect impacts to sensitive biological resources at Witcher and Birch Creeks, including amphibians, will be required for any project that may impact these resources.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce potential Project impacts to a less than significant level.

- iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development that would be allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant impacts on riparian habitats and sensitive communities would be to more severely restrict development potential in Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 above. Impacts on riparian habitats and other sensitive natural communities therefore represent a significant and unavoidable impact of the Project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

3. **General Plan implementation could have substantial adverse impacts, directly and through habitat modifications, on federally protected wetlands as defined by Clean Water Act §404, through direct removal, filling, hydrological interruptions, or other means.**
- a. **POTENTIAL IMPACT:** The potential for the Project to result in substantial adverse effects on federally protected wetlands is discussed on pages 4.4-49 through 4.4-50 of the Draft EIR.
  - b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant adverse project effects on federally protected wetlands.
  - c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds that:
    - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. In addition, further policies and actions were developed in response to impacts identified during environmental review and incorporated directly into the project. These policies and actions have been included in the MMRP, are fully enforceable, and are listed below. However, even with the implementation of policies and actions that would reduce impacts on federally protected wetlands the potential remains for significant adverse impacts.

#### MITIGATING POLICIES

**C/OS Action 2.A.1.b.** Project design should first seek to avoid impacts. Unavoidable impacts should next be minimized, and finally mitigated. Examples of potential appropriate mitigation measures for projects identified by Action 1.1 as having significant impacts to animal and plant habitats include:

- j. when wetland and riparian disturbance cannot be avoided, seek restoration of adjacent habitat or compensation through an acceptable mitigation fee or other program pursuant to CEQA requirements to meet §404 of the Clean Water Act;
- k. designing projects to limit the conveyance of pollutants and sediments from runoff into wetlands and riparian areas;
- l. requiring development projects affecting and adjacent to wetland or riparian areas to undertake habitat restoration, including the removal of non-native species, when feasible, to ensure ecosystem function.

**C/OS Action 13.C.4.c.** Revegetation plans should utilize plantings from local native stock, including adjacent riparian and wetland plants, and locally collected seed when feasible.

**C/OS Policy 4.A.5.** Projects within 30 feet of or that may otherwise impact wetland or riparian vegetation shall implement best management practices as recommended by the State Water Quality Control Board.

**C/OS Policy 4.A.7.** Continue to support “no net loss” of wetlands at a regional scale.

**C/OS Action 3.E.1.b.** Applications for out-of-basin water transfers shall be submitted to the county Planning Division and shall include the following information: point of extraction; amount of extraction; nature and location of conveyance facilities; and identification of potential impacts to the environment such as wildlife and riparian habitat, wetlands, in-stream habitat, other water users (e.g., agricultural operators), and also including indirect effects such as the potential for increased flood risk due to reduced wetlands, and increased fire hazard risk that could result in increased sedimentation and reduced groundwater recharge capacity.

**C/OS Action 3.E.1.c.** In issuing a water transfer permit, the Planning Commission shall make the following findings: that the proposed project meets all reasonable beneficial water needs, including uses in-stream and for agricultural operations and recreational purposes, within the basin of origin; and that the proposed project adequately protects water quality, in-stream flows, lake levels, riparian areas, vegetation types, sensitive/rare wildlife and habitat, and related resources such as the visual quality and character of the landscape; and is not likely to increase indirect effects such as flooding, wildfire, and/or sedimentation, or reduce groundwater recharge capacity. Projects that do not adequately protect these resources shall be denied.

**C/OS Policy 3.E.2.b.** Applications for groundwater export projects shall obtain a Groundwater Transfer permit (Mono County Code section 20.01), which requires the assessment of the potential impacts of the project prior to project approval in accordance with CEQA, and requires findings to be made. In addition, indirect impacts of increased wildfire risk and sedimentation resulting from fire, and increased flood risk and reduced recharge rates due to reduced or degraded wetlands and riparian areas, should be considered.

**C/OS Policy 4.A.6.** Discourage development within 30 feet of recharge, riparian, and wetland areas to minimize trampling, erosion and siltation impacts, and consider amending the General Plan to specify use and setback requirements. Continue to enforce setback requirements from surface waters.

**LU Action 18.D.1.f.** Utilize Best Management Practices (BMPs) including, but not limited to, the Low Impact Development (LID) techniques in the Appendix of the General Plan to minimize the effects of runoff.

**C/OS Action 4.A.8.a.** As required by the Lahontan Regional Water Quality Control Board, projects must provide post-construction stormwater management plans. Developers should utilize

stormwater control measures that are compatible with low-impact development solutions (see General Plan Appendix), such as rain gardens, green roofs, detention ponds, bioretention swales, pervious pavement, vegetated infiltration ponds, and other measures provided by the California Stormwater Quality Association ([www.casqa.org](http://www.casqa.org)) to effectively treat post-construction stormwater runoff, help sustain watershed processes, protect receiving water, and maintain healthy watersheds.

**C/OS Action 4.A.8.c.** Maintain drainage systems associated with roads and public infrastructure for stormwater management.

**C/OS Action 4.A.8.e.** Subject to the availability of County resources, provide education and advice on LID measures that could be incorporated into project designs.

**LU Action 24.F.1.a.** CEQA analysis that considers direct and indirect impacts to sensitive biological resources at Witcher and Birch Creeks, including amphibians, will be required for any project that may impact these resources.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce Project impacts on federally protected wetlands to a less-than-significant level.
- iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant impacts on wetlands would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 above. Impacts on federally protected wetlands therefore represent a significant and unavoidable impact of the Project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

4. **General Plan implementation could interfere substantially with the movement of native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.**
- a. **POTENTIAL IMPACT:** The potential for the Project to result in substantial adverse effects on wildlife movement, wildlife corridors or wildlife nursery sites is discussed on DEIR page 4.4-51.
  - b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant adverse project effects on wildlife movement, wildlife corridors or wildlife nursery sites.
  - c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
    - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. In addition, further policies and actions were developed in response to impacts identified during environmental review and incorporated directly into the project. These policies and actions have been included in the MMRP, are fully enforceable, and are listed below. However, even with the implementation of policies and actions that would reduce impacts on the movement of native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, the potential remains for significant adverse impacts.

#### MITIGATING POLICIES

**C/OS Action 2.A.3.c.** When applicable, revegetation and landscape plans should include provisions to retain and re-establish upland vegetation, especially bitterbrush and sagebrush, as important mule deer and sage grouse habitat.

**C/OS Action 2.A.3.h.** Maintenance agreements and procedures for roads and other infrastructure shall consider impacts to special-status species including consultation with appropriate state and federal agencies.

**RTP Policy 9.B.** Reduce the potential for wildlife collisions to improve transportation system safety.

**RTP Objective 9.A.7.** Seek funding for undercrossing passageways for mule deer where highways intersect traditional migratory routes to reduce collisions and animal mortality.

**RTP Objective 9.A.8.** Seek funding to widen existing undercrossing passageways for mule deer and other wildlife to reduce collisions and animal mortality.

**RTP Objective 9.A.9.** Incorporate measures in to the design of new roads and road upgrades to reduce collisions between vehicles and deer/wildlife, such as increasing driver line-of-sight and incorporating short sections of exclusion fencing that directs animals to areas of improved visibility.

**C/OS Action 13.C.4.d.** Seek ways to form partnerships that will facilitate mitigative control or eradication of invasive non-native plants in and around town areas. Identify and explore methods of forming collaborations, funding, and facilitating such programs.

**C/OS Action 2.A.1.b.** Project design should first seek to avoid impacts. Unavoidable impacts should next be minimized, and finally mitigated. Examples of potential appropriate mitigation measures for projects identified by Action 1.1 as having significant impacts to animal and plant habitats include:



- h. when wetland and riparian disturbance cannot be avoided, seek restoration of adjacent habitat or compensation through an acceptable mitigation fee or other program pursuant to CEQA requirements to meet §404 of the Clean Water Act;
- i. designing projects to limit the conveyance of pollutants and sediments from runoff into wetlands and riparian areas;
- j. requiring project design to minimize the redirection of wildlife movement, and in no case shall linear barriers such as fences or other design features direct wildlife onto highly traveled roadways;
- k. requiring projects with potential to impact nesting bird populations to consult with appropriate state and federal agencies, and potentially prepare a nesting bird plan approved by CDFW as a condition of approval;
- l. requiring development projects affecting and adjacent to wetland or riparian areas to undertake habitat restoration, including the removal of non-native species, when feasible, to ensure ecosystem function.

**C/OS Action 2.A.1.d.** Native vegetation is strongly encouraged for landscaping, erosion control, or other purposes. Use of non-native vegetation shall require an assessment and mitigation of the effects of the introduced species, and in no case shall invasive non-native species be approved.

**C/OS Action 2.A.1.e.** Landscaping and revegetation plans shall include measures to control invasive, non-native plants including weeds and annual grasses.

**C/OS Action 2.A.1.f.** For non-native plant removal, mechanical controls should be considered over chemical controls, where possible.

**C/OS Action 2.A.3.b.** Require landscape plans to incorporate the use of native vegetation when feasible. The transplanting of existing vegetation and use of locally collected seed may be required in the landscape plan.

**C/OS Action 13.C.4.b.** Revegetation plans should include measures to ensure the control of invasive, non-native plants including annual grasses.

**C/OS Action 13.C.4.c.** Revegetation plans should utilize plantings from local native stock, including adjacent riparian and wetland plants, and locally collected seed when feasible.

**LU Action 21.C.5.a.** Work with the appropriate agencies to develop and implement a raven mitigation plan for the landfill to protect sage-grouse populations.

**LU Action 1.A.3.d.** Consider requirements for bear-resistant trash receptacles in applicable community areas.

**C/OS Policy 4.A.5.** Projects within 30 feet of or that may otherwise impact wetland or riparian vegetation shall implement best management practices as recommended by the State Water Quality Control Board.

**C/OS Policy 4.A.7.** Continue to support “no net loss” of wetlands at a regional scale.

**RTP Policy 18.A.3.** Support preservation of the existing heritage trees along US 395 in a manner that ensures roadway safety.

**LU Action 24.F.3.f.** Engage with the California Department of Fish and Wildlife as the responsible agency for the protection and recovery of Sierra Nevada Bighorn Sheep prior to approving any new or renewed grazing use or altering any existing grazing use for domestic sheep.

**C/OS Action 2.A.1.r.** Work with the USFWS to ensure compliance with the Migratory Bird Treaty Act.

**C/OS Action 13.C.3.f.** Avoid siting cellular towers in Bi-State sage grouse habitat to the extent possible.

**LU Action 24.F.1.a.** CEQA analysis that considers direct and indirect impacts to sensitive biological resources at Witcher and Birch Creeks, including amphibians, will be required for any project that may impact these resources.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce to less than significant levels the potential Project impacts on the movement of native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors.
- iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant impacts on candidate and sensitive species would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 above. Impacts on the movement of resident or migratory species or with established wildlife corridors therefore represent a significant and unavoidable impact of the Project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

5. **General Plan implementation could potentially conflict with existing or proposed local policies or ordinances protecting biological resources.**

- a. **POTENTIAL IMPACT:** The potential for the project to substantially conflict with policies or ordinances protecting biological resources is discussed on page 4.4-52 of the Draft EIR.
- b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the potential for the project to substantially conflict with policies or ordinances protecting biological resources.
- c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds that:
  - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. In addition, further policies and actions were developed in response to impacts identified during environmental review and incorporated directly into the project. These policies and actions have been included in the MMRP, are fully enforceable, and are listed below. However, even with the implementation of policies and actions that would reduce impacts on local biological protection ordinances, the potential remains for significant adverse impacts.

**MITIGATING POLICIES**

**RTP Policy 18.A.3.** Support preservation of the existing heritage trees along US 395 in a manner that ensures roadway safety.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce Project impacts on local biological protection ordinances that are associated to a less-than-significant level
- iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant impacts on local biological protection ordinances would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 above. Impacts on federally protected wetlands therefore represent a significant and unavoidable impact of the Project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through

increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

6. ***General Plan implementation would not conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other similar adopted plans.*** No significant adverse impacts are foreseen and no Findings or Statement of Overriding Effects are required.

## **B. GEOLOGY, SOILS AND MINERAL RESOURCES**

1. ***General Plan implementation could expose people or structures to potential substantial adverse impacts involving rupture of an earthquake fault, strong seismic ground shaking or landslides, or seismic-related ground failure.***
- a. **POTENTIAL IMPACT:** The potential for the project to expose people or structures to potential substantial adverse impacts involving rupture of an earthquake fault, strong seismic ground shaking or landslides, or seismic-related ground failure is discussed on Draft EIR pages 4.5-12 through 4.5-13.
  - b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant adverse project effects related to exposure of people or structures to rupture of an earthquake fault, strong seismic ground shaking or landslides, or seismic-related ground failure.
  - c. **FINDINGS:** Based upon the entire administrative record the Mono County Board of Supervisors finds:
    - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. No further feasible mitigating policies and actions were identified in response to impacts determined during environmental review. Even with the implementation of the original project components that would reduce impacts associated with impacts involving strong seismic ground shaking, landslides or failure, the potential remains for significant adverse impacts.
    - ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
    - iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate or reduce to a level that is less-than significant the potentially significant impacts on candidate and sensitive species would be to more severely restrict development potential in Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Impacts related to the exposure of people or structures to potential substantial adverse impacts involving rupture of an earthquake fault, strong seismic ground shaking or landslides, or seismic-related ground failure thus represent a significant and unavoidable impact of the Project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and

services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A<sub>1</sub> (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

## **2. General Plan implementation could result in substantial soil erosion or the loss of topsoil.**

- a. **POTENTIAL IMPACT:** The potential for the project to expose people or structures to potential substantial adverse impacts involving substantial soil erosion or the loss of topsoil is discussed on pages 4.5-13 through 4.5-15 of the Draft EIR.
- b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the project potential for substantial soil erosion or the loss of topsoil.
- c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
  - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. In addition, further policies and actions were developed in response to impacts identified during environmental review and incorporated directly into the project. These policies and actions have been included in the MMRP, are fully enforceable, and are listed below. However, even with the implementation of policies and actions that would reduce potential for substantial soil erosion or the loss of topsoil, the potential remains for significant adverse impacts.

### **MITIGATING POLICIES**

**C/JOS Action 2.A.1.d.** Native vegetation is strongly encouraged for landscaping, erosion control, or other purposes. Use of non-native vegetation shall require an assessment and mitigation of the effects of the introduced species, and in no case shall invasive non-native species be approved.

**Action 18.D.1.f.** Utilize Best Management Practices (BMPs) including, but not limited to, the Low Impact Development (LID) techniques in the Appendix of the General Plan to minimize the effects of runoff.

**C/JOS Action 4.A.8.a.** As required by the Lahontan Regional Water Quality Control Board, projects must provide post-construction stormwater management plans. Developers should utilize stormwater control measures that are compatible with low-impact development solutions (see General Plan Appendix), such as rain gardens, green roofs, detention ponds, bioretention swales, pervious pavement, vegetated infiltration ponds, and other measures provided by the California Stormwater Quality Association ([www.casqa.org](http://www.casqa.org)) to effectively treat post-construction stormwater runoff, help sustain watershed processes, protect receiving water, and maintain healthy watersheds.

**C/OS Action 4.A.8.c.** Maintain drainage systems associated with roads and public infrastructure for stormwater management.

**C/OS Action 4.A.8.d.** Complementary design features with the potential to improve habitat such as settling basins, vaults, and bank stabilization should be considered when designing or maintaining culverts. Culverts should be analyzed and designed to limit unintended adverse impacts such as degraded water quality, erosion and siltation of wetlands.

**C/OS Action 4.A.8.e.** Subject to the availability of County resources, provide education and advice on LID measures that could be incorporated into project designs.

**C/OS Policy 4.A.6.** Discourage development within 30 feet of recharge, riparian, and wetland areas to minimize trampling, erosion and siltation impacts, and consider amending the General Plan to specify use and setback requirements. Continue to enforce setback requirements from surface waters.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
- iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate or reduce to a level that is less-than-significant the potentially significant impacts associated with soil erosion and loss of topsoil would be to more severely restrict development potential in Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Impacts related to the potential for substantial soil erosion or the loss of topsoil thus represent a significant and unavoidable impact of the Project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

- 3. **General Plan implementation could result in structures located on a geologic unit or soil that is unstable or would become unstable due to the project and potentially result in lateral spreading, subsidence, liquefaction or collapse.**

- a. **POTENTIAL IMPACT:** The potential for the project to expose people or structures to unstable geology and potentially result in lateral spreading, subsidence, liquefaction or collapse, is discussed on pages 4.5-15 through 4.5-16 of the Draft EIR.
- b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the project potential for people and structures to be exposure to unstable geology, potentially resulting in lateral spreading, subsidence, liquefaction or collapse.
- c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
  - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. No further feasible mitigating policies and actions were identified in response to impacts determined during environmental review. Even with the implementation of the original project components that would reduce potential for people and structures to be exposure to unstable geology, potentially resulting in lateral spreading, subsidence, liquefaction or collapse, the potential remains for significant adverse impacts.
  - ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
  - iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant adverse effects related to the exposure of people and structures to unstable geology (potentially resulting in lateral spreading, subsidence, liquefaction or collapse), would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Impacts associated with unstable geologic structures thus represent a significant and unavoidable project impact.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

4. **General Plan implementation would not result in structures on expansive soils incapable of adequately supporting the use of septic tanks or alternative waste systems:** No significant adverse impacts are foreseen and no Findings or Statement of Overriding Effects are required.
5. **General Plan implementation could result in the loss of availability of a known mineral resource or an identified locally important mineral resource that would be of value to the region and to residents of the state of California.**
- a. **POTENTIAL IMPACT:** The potential for the project to result in loss of availability of a known mineral resource or an identified locally important mineral resource is discussed on pages 4.5-20 through 4.5-22 of the Draft EIR.
  - b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the potential loss of availability of a known mineral resource or an identified locally important mineral resource.
  - c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
    - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. No further feasible mitigating policies and actions were identified in response to impacts determined during environmental review. Even with the implementation of the original project that would reduce potential loss of mineral resources, the potential remains for significant adverse impacts.
    - ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to mineral resources to a less-than-significant level.
    - iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially loss of mineral resources would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Impacts associated with mineral resources are thus significant and unavoidable.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.



In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A<sub>1</sub> (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

## **C. HEALTH, SAFETY AND HAZARDS**

### **1. General Plan implementation could create a significant hazard to the public or to the environment through the transport, use or disposal of hazardous materials or the release of hazardous materials into the environment.**

- a. **POTENTIAL IMPACT:** Draft EIR pages 4.6-26 through 4.6-29 discuss the potential for the project to create a significant hazard to the public or to the environment through the transport, use or disposal of hazardous materials or the release of hazardous materials into the environment.
- b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant hazards associated with transport, use, disposal or release of hazardous materials.
- c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
  - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. No further feasible mitigating policies and actions were identified in response to impacts determined during environmental review. Even with the implementation of the original project components that would reduce potential hazards associated with transport, use, disposal or release of hazardous materials, the potential remains for significant adverse impacts.
  - ii. **Finding:** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
  - iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant impacts associated with use, transport, disposal or release of hazardous materials would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A<sub>1</sub> (Biology) above. Impacts associated with transport, use, disposal or release of hazardous materials thus represent a significant and unavoidable impact of the project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on

tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A<sub>1</sub> (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

2. **General Plan implementation would not create hazards resulting from projects located on sites that are included on a list of hazardous materials sites:** No significant adverse impacts are foreseen and no Findings or Statement of Overriding Effects are required.
3. **General Plan implementation would not expose people or structures to airport hazards:** No significant adverse impacts are foreseen and no Findings or Statement of Overriding Effects are required.
4. **General Plan implementation could impair implementation of or physically interfere with an adopted emergency plan or emergency evacuation plan.**
  - a. **POTENTIAL IMPACT:** Draft EIR pages 4.6-35 through 4.6-36 discuss the potential for the project to impair implementation of or physically interfere with an adopted emergency plan or emergency evacuation plan.
  - b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant hazards associated with impaired emergency evacuation.
  - c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
    - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. No further feasible mitigating policies and actions were identified in response to impacts determined during environmental review. Even with the implementation of the original project components that would reduce potential hazards associated with impaired implementation of or physical interference with emergency evacuation, the potential remains for significant adverse impacts.
    - ii. **Finding:** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
    - iii. **Facts and Reasoning that Support Finding:** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potential for impaired emergency evacuation would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A<sub>1</sub> (Biology) above. Impacts associated with impaired implementation of or physical interference with emergency evacuation thus represent a significant and unavoidable impact of the Project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow

additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A<sub>1</sub> (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

**5. General Plan implementation could expose people or structures to a significant risk of loss, injury or death involving wildland fires.**

- a. **POTENTIAL IMPACT:** Draft EIR pages 4.6-36 through 4.6-37 discuss the potential for the project to expose people or structures to a significant risk of loss, injury or death involving wildland fires.
- b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant hazards associated with exposure to wildland fire risks.
- c. **FINDINGS:** Based upon the administrative record, the Mono County Board of Supervisors finds:
  - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. No further feasible mitigating policies and actions were identified in response to impacts determined during environmental review. Even with the implementation of the original project components that would reduce potential hazards associated with exposure of people or structures to significant risk of loss, injury or death involving wildland fires, the potential remains for significant adverse impacts.
  - ii. **Finding:** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
  - iii. **Facts and Reasoning that Support Finding:** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potential for impaired emergency evacuation would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A<sub>1</sub> (Biology) above. Impacts associated with exposure to wildland fire risk thus represent a significant and unavoidable impact of the Project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would

contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A<sub>1</sub> (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

6. **General Plan implementation could expose people or structures to a significant risk involving avalanche, landslides, destructive storms or winds, rockfall or volcanic activity.**
- a. **POTENTIAL IMPACT:** Draft EIR pages 4.6-37 through 4.6-39 discuss the potential for the project to expose people or structures to a significant risk involving avalanche, landslides, destructive storms or winds, rockfall or volcanic activity.
  - b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant hazards associated with exposure to avalanche, landslides, destructive storms or winds, rockfall or volcanic activity.
  - c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
    - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. No further feasible mitigating policies and actions were identified in response to impacts determined during environmental review. Even with the implementation of the original project components that would reduce potential hazards associated with exposure of people or structures to significant risk involving avalanche, landslides, destructive storms or winds, rockfall or volcanic activity, the potential remains for significant adverse impacts.
    - ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
    - iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potential for impaired emergency evacuation would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A<sub>1</sub> (Biology) above. Impacts associated with exposure to avalanche, landslides, destructive storms or winds, rockfall or volcanic activity thus represent a significant and unavoidable project impact.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The

project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

## **D. CULTURAL RESOURCES**

1. **General Plan implementation could cause a substantial adverse change in the significance of a prehistoric or historic resource.**
  - a. **POTENTIAL IMPACT:** Draft EIR pages 4.7-11 through 4.7-13 discuss the potential for the project to cause a substantial adverse change in the significance of a prehistoric or historic resource.
  - b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant hazards associated with adverse change in the significance of a prehistoric or historic resource.
  - c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
    - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. No further feasible mitigating policies and actions were identified in response to impacts determined during environmental review. Even with the implementation of the original project components that would reduce potential to cause a substantial adverse change in the significance of a prehistoric or historic resource, the potential remains for significant adverse impacts.
    - ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
    - iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant impacts associated with protection of historic or prehistoric resource would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Impacts associated with potential change in the significance of a prehistoric or historic resource thus represent a significant and unavoidable project impact.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A<sub>1</sub> (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

2. **General Plan implementation could directly or indirectly destroy a unique paleontological resource or site or feature.**
  - a. **POTENTIAL IMPACT:** The potential for the project to directly or indirectly destroy a unique paleontological resource or site or feature is discussed on Draft EIR page 4.7-13.
  - b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant hazards associated with potential destruction of a unique paleontological resource or site or feature.
  - c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
    - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. No further feasible mitigating policies and actions were identified in response to impacts determined during environmental review. Even with the implementation of the original project components that would reduce potential for the project to destroy a unique paleontological resource or site or feature, the potential remains for significant adverse impacts.
    - ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
    - iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant impacts associated with loss of a paleontological resource would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A<sub>1</sub> (Biology) above. The potential destruction of a unique paleontological site, resource or feature thus represents a significant and unavoidable project impact.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

**3. *General Plan implementation could cause disturbance to human remains or sacred lands, including those interred outside of formal cemeteries.***

- a. **POTENTIAL IMPACT:** The potential for the project to cause disturbance to human remains or sacred lands is discussed on Draft EIR pages 4.7-13 and 4.7-14.
- b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant hazards associated with potential disturbance of human remains or sacred lands.
- c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
  - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. No further feasible mitigating policies and actions were identified in response to impacts determined during environmental review. Even with the implementation of the original project components that would reduce potential for the project to disturb human remains or sacred lands, the potential remains for significant adverse impacts.
  - ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
  - iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant impacts associated with disturbance to human remains or sacred lands would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Impacts associated with potential disturbance of human remains or sacred lands thus represent a significant and unavoidable project impact.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal*

of the Conway Ranch Specific Plan provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the 2015 Updates and Repeal of the Conway Ranch Specific Plan project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

## **E. HYDROLOGY, FLOODING, WATER QUALITY, WATER SUPPLY**

### **1. General Plan implementation could cause a violation of water quality objectives and standards.**

- a. **POTENTIAL IMPACT:** Draft EIR pages 4.8-31 through 4.8-37 discuss the potential for the project to cause a violation of water quality standards.
- b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant hazards associated with a potential violation of water quality standards.
- c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
  - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. In addition, further policies and actions were developed in response to impacts identified during environmental review and incorporated directly into the project. These policies and actions have been included in the MMRP, are fully enforceable, and are listed below. However, even with the implementation of policies and actions that would reduce potential to cause a violation of water quality standards, the potential remains for significant adverse impacts.

#### **MITIGATING POLICIES**

**C/OS Action 2.A.1.b.** Project design should first seek to avoid impacts. Unavoidable impacts should next be minimized, and finally mitigated. Examples of potential appropriate mitigation measures for projects identified by Action 1.1 as having significant impacts to animal and plant habitats include:

- i. designing projects to limit the conveyance of pollutants and sediments from runoff into wetlands and riparian areas;

**C/OS Policy 4.A.5.** Projects within 30 feet of or that may otherwise impact wetland or riparian vegetation shall implement best management practices as recommended by the State Water Quality Control Board.

**LU Action 18.D.1.f.** Utilize Best Management Practices (BMPs) including, but not limited to, the Low Impact Development (LID) techniques in the Appendix of the General Plan to minimize the effects of runoff.



**C/OS Action 4.A.8.a.** As required by the Lahontan Regional Water Quality Control Board, projects must provide post-construction stormwater management plans. Developers should utilize stormwater control measures that are compatible with low-impact development solutions (see General Plan Appendix), such as rain gardens, green roofs, detention ponds, bioretention swales, pervious pavement, vegetated infiltration ponds, and other measures provided by the California Stormwater Quality Association ([www.casqa.org](http://www.casqa.org)) to effectively treat post-construction stormwater runoff, help sustain watershed processes, protect receiving water, and maintain healthy watersheds.

**C/OS Action 4.A.8.c.** Maintain drainage systems associated with roads and public infrastructure for stormwater management.

**C/OS Action 4.A.8.e.** Subject to the availability of County resources, provide education and advice on LID measures that could be incorporated into project designs.

**C/OS Action 5.C.2.i.** Proactively collaborate with stakeholders to avoid and minimize impacts to water quality from livestock and grazing activities, and recognize and support the Regional Water Quality Control Board, Sierra Business Council and UC Davis incentives for ranchers to install and monitor the efficacy of grazing management practices in an effort to protect and improve water quality.

**C/OS Policy 4.A.6.** Discourage development within 30 feet of recharge, riparian, and wetland areas to minimize trampling, erosion and siltation impacts, and consider amending the General Plan to specify use and setback requirements. Continue to enforce setback requirements from surface waters.

**C/OS Action 4.A.8.c.** Maintain drainage systems associated with roads and public infrastructure for stormwater management.

**C/OS Action 4.A.8.d.** Complementary design features with the potential to improve habitat such as settling basins, vaults, and bank stabilization should be considered when designing or maintaining culverts. Culverts should be analyzed and designed to limit unintended adverse impacts such as degraded water quality, erosion and siltation of wetlands.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
- iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant impacts associated with potential violation of water quality standards would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Impacts associated with potential violation of water quality standards thus represent a significant and unavoidable project impact.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from

urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

2. **General Plan implementation could jeopardize compliance with wastewater treatment requirements of the Lahontan Regional Water Quality Control Board (LRWQCB) or require construction or expansion of wastewater treatment facilities.**
- a. **POTENTIAL IMPACT:** Draft EIR pages 4.8-37 through 4.8-39 discuss the potential for the project to jeopardize compliance with LRWQCB wastewater treatment requirements or cause construction or expansion of wastewater treatment facilities.
  - b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant hazards resulting from noncompliance with LRWQCB wastewater treatment requirements.
  - c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
    - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. In addition, further policies and actions were developed in response to impacts identified during environmental review and incorporated directly into the project. These policies and actions have been included in the MMRP, are fully enforceable, and are listed below. However, even with the implementation of policies and actions that would reduce the significant hazards resulting from noncompliance with LRWQCB wastewater treatment requirements, the potential remains for significant adverse impacts.

#### MITIGATING POLICIES

**C Policy 4.B.5.** Work with special districts and other appropriate entities to meet community infrastructure needs such as water, sewer, fire protection, etc.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
- iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant impacts resulting from noncompliance with LRWQCB wastewater treatment requirements would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Project impacts resulting from potential noncompliance with LRWQCB wastewater treatment requirements are therefore significant and unavoidable.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal*

of the Conway Ranch Specific Plan provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the 2015 Updates and Repeal of the Conway Ranch Specific Plan project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

3. **General Plan implementation could result in a situation where water supplies are insufficient to serve approved long-term uses.**
- a. **POTENTIAL IMPACT:** Draft EIR pages 4.8-39 through 4.8-46 discuss the availability of adequate water to serve the project from existing entitlements, facilities and resources.
  - b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the potential that water supplies will be insufficient to serve approved land uses.
  - c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
    - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. In addition, further policies and actions were developed in response to impacts identified during environmental review and incorporated directly into the project. These policies and actions have been included in the MMRP, are fully enforceable, and are listed below. However, even with the implementation of policies and actions that would reduce the significant hazards associated with insufficient water supplies, the potential remains for significant adverse impacts.

#### MITIGATING POLICIES

**C Policy 4.B.5.** Work with special districts and other appropriate entities to meet community infrastructure needs such as water, sewer, fire protection, etc.

**C/OS Action 3.E.1.b.** Applications for out-of-basin water transfers shall be submitted to the county Planning Division and shall include the following information: point of extraction; amount of extraction; nature and location of conveyance facilities; and identification of potential impacts to the environment such as wildlife and riparian habitat, wetlands, in-stream habitat, other water users (e.g., agricultural operators), and also including indirect effects such as the potential for increased flood risk due to reduced wetlands, and increased fire hazard risk that could result in increased sedimentation and reduced groundwater recharge capacity.

**C/OS Action 3.E.1.c.** In issuing a water transfer permit, the Planning Commission shall make the following findings: that the proposed project meets all reasonable beneficial water needs, including uses in-stream

and for agricultural operations and recreational purposes, within the basin of origin; and that the proposed project adequately protects water quality, in-stream flows, lake levels, riparian areas, vegetation types, sensitive/rare wildlife and habitat, and related resources such as the visual quality and character of the landscape; and is not likely to increase indirect effects such as flooding, wildfire, and/or sedimentation, or reduce groundwater recharge capacity. Projects that do not adequately protect these resources shall be denied.

**C/OS Policy 3.E.2.b.** Applications for groundwater export projects shall obtain a Groundwater Transfer permit (Mono County Code section 20.01), which requires the assessment of the potential impacts of the project prior to project approval in accordance with CEQA, and requires findings to be made. In addition, indirect impacts of increased wildfire risk and sedimentation resulting from fire, and increased flood risk and reduced recharge rates due to reduced or degraded wetlands and riparian areas, should be considered.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
- iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant impacts resulting from insufficient water supplies would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Impacts associated with the potential insufficiency of water resources therefore represent a significant and unavoidable impact of the project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

- 4. **General Plan implementation could alter existing drainage patterns in a manner that would result in substantial erosion, siltation, flooding or polluted runoff.**
  - a. **POTENTIAL IMPACT:** Draft EIR pages 4.8-46 through 4.8-48 discuss the potential for alteration of drainage patterns so as to cause substantial erosion, siltation, flooding or polluted runoff.

- b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the potential that drainage patterns would be altered in a manner that would result in substantial erosion, siltation, flooding or polluted runoff.
- c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
- i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. In addition, further policies and actions were developed in response to impacts identified during environmental review and incorporated directly into the project. These policies and actions have been included in the MMRP, are fully enforceable, and are listed below. However, even with the implementation of policies and actions that would reduce the significant hazards associated erosion, siltation, flooding or polluted runoff resulting from the alteration of drainage patterns, the potential remains for significant adverse impacts.

#### MITIGATING POLICIES

**C/OS Action 2.A.1.b.** Project design should first seek to avoid impacts. Unavoidable impacts should next be minimized, and finally mitigated. Examples of potential appropriate mitigation measures for projects identified by Action 1.1 as having significant impacts to animal and plant habitats include:

- h. when wetland and riparian disturbance cannot be avoided, seek restoration of adjacent habitat or compensation through an acceptable mitigation fee or other program pursuant to CEQA requirements to meet §404 of the Clean Water Act;
- i. designing projects to limit the conveyance of pollutants and sediments from runoff into wetlands and riparian areas;
- l. requiring development projects affecting and adjacent to wetland or riparian areas to undertake habitat restoration, including the removal of non-native species, when feasible, to ensure ecosystem function.

**C/OS Action 2.A.1.d.** Native vegetation is strongly encouraged for landscaping, erosion control, or other purposes. Use of non-native vegetation shall require an assessment and mitigation of the effects of the introduced species, and in no case shall invasive non-native species be approved.

**C/OS Policy 4.A.5.** Projects within 30 feet of or that may otherwise impact wetland or riparian vegetation shall implement best management practices as recommended by the State Water Quality Control Board.

**LU Action 18.D.1.f.** Utilize Best Management Practices (BMPs) including, but not limited to, the Low Impact Development (LID) techniques in the Appendix of the General Plan to minimize the effects of runoff.

**C/OS Action 4.A.8.a.** As required by the Lahontan Regional Water Quality Control Board, projects must provide post-construction stormwater management plans. Developers should utilize stormwater control measures that are compatible with low-impact development solutions (see General Plan Appendix), such as rain gardens, green roofs, detention ponds, bioretention swales, pervious pavement, vegetated infiltration ponds, and other measures provided by the California Stormwater Quality Association ([www.casqa.org](http://www.casqa.org)) to effectively treat post-construction stormwater runoff, help sustain watershed processes, protect receiving water, and maintain healthy watersheds.

**C/OS Action 4.A.8.c.** Maintain drainage systems associated with roads and public infrastructure for stormwater management.

**C/OS Action 4.A.8.e.** Subject to the availability of County resources, provide education and advice on LID measures that could be incorporated into project designs.

**C/OS Action 3.E.1.b.** Applications for out-of-basin water transfers shall be submitted to the county Planning Division and shall include the following information: point of extraction; amount of extraction; nature and location of conveyance facilities; and identification of potential impacts to the environment such as wildlife and riparian habitat, wetlands, in-stream habitat, other water users (e.g., agricultural operators), and also including indirect effects such as the potential for increased flood risk due to reduced wetlands, and increased fire hazard risk that could result in increased sedimentation and reduced groundwater recharge capacity.

**C/OS Action 3.E.1.c.** In issuing a water transfer permit, the Planning Commission shall make the following findings: that the proposed project meets all reasonable beneficial water needs, including uses in-stream and for agricultural operations and recreational purposes, within the basin of origin; and that the proposed project adequately protects water quality, in-stream flows, lake levels, riparian areas, vegetation types, sensitive/rare wildlife and habitat, and related resources such as the visual quality and character of the landscape; and is not likely to increase indirect effects such as flooding, wildfire, and/or sedimentation, or reduce groundwater recharge capacity. Projects that do not adequately protect these resources shall be denied.

**C/OS Policy 3.E.2.b.** Applications for groundwater export projects shall obtain a Groundwater Transfer permit (Mono County Code section 20.01), which requires the assessment of the potential impacts of the project prior to project approval in accordance with CEQA, and requires findings to be made. In addition, indirect impacts of increased wildfire risk and sedimentation resulting from fire, and increased flood risk and reduced recharge rates due to reduced or degraded wetlands and riparian areas, should be considered.

**C/OS Action 5.C.2.i.** Proactively collaborate with stakeholders to avoid and minimize impacts to water quality from livestock and grazing activities, and recognize and support the Regional Water Quality Control Board, Sierra Business Council and UC Davis incentives for ranchers to install and monitor the efficacy of grazing management practices in an effort to protect and improve water quality.

**C/OS Policy 4.A.6.** Discourage development within 30 feet of recharge, riparian, and wetland areas to minimize trampling, erosion and siltation impacts, and consider amending the General Plan to specify use and setback requirements. Continue to enforce setback requirements from surface waters.

**C/OS Action 4.A.8.d.** Complementary design features with the potential to improve habitat such as settling basins, vaults, and bank stabilization should be considered when designing or maintaining culverts. Culverts should be analyzed and designed to limit unintended adverse impacts such as degraded water quality, erosion and siltation of wetlands.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
- iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potential for significant erosion, siltation, flooding or polluted runoff resulting from the alteration of drainage patterns would be to more severely restrict development potential in Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Impacts associated with the altered drainage patterns therefore represent a significant and unavoidable impact of the project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow

additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

6. ***General Plan implementation would not place housing in a mapped 100-year flood hazard zone:*** No significant adverse impacts are foreseen and no Findings or Statement of Overriding Effects are required.
7. ***General Plan implementation would not expose people or structures to a significant risk of loss, injury or death involving flood, including failure or a levee or dam:*** No significant adverse impacts are foreseen and no Findings or Statement of Overriding Effects are required.
8. ***General Plan implementation would not expose people or structures to significant risk resulting from seiche, tsunami or mudflow:*** No significant adverse impacts are foreseen and no Findings or Statement of Overriding Effects are required.

## F. RECREATION

1. ***General Plan implementation would not increase the use of parks or recreational facilities such that substantial deterioration would occur:*** No significant adverse impacts are foreseen and no Findings or Statement of Overriding Effects are required.
2. ***General Plan implementation may include the construction, use or expansion of recreational facilities that may adversely impact the environment.***
  - a. **POTENTIAL IMPACT:** Draft EIR pages 4.9-14 through 4.9-16 discuss the potential for project recreational facilities to adversely impact the environment.
  - b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the potentially significant environmental impacts associated with use or construction of recreational facilities.
  - c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
    - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. No further feasible mitigating policies and actions were identified in response to impacts determined during environmental review. Even with the implementation of the original

project components that would reduce potential adverse environmental impacts associated with recreational facilities and activities, the potential remains for significant adverse impacts.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
- iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant impacts associated with potential violation of water quality standards would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Adverse environmental impacts associated with recreation thus represent a significant and unavoidable project impact.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

## **G. AESTHETICS, LIGHT & GLARE, SCENIC RESOURCES**

1. **General Plan implementation may have a substantial adverse effect on a scenic vista or scenic resources including trees, rock outcropping and historic building in a state scenic highway.**
  - a. **POTENTIAL IMPACT:** Draft EIR pages 4.10-12 through 4.10-14 discuss the potential for the project to adversely impact a scenic vista or scenic resources in a state scenic highway.
  - b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the potentially significant adverse project impacts on a scenic vista or scenic resources in a state scenic highway.
  - c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
    - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. In addition, further policies and actions were developed in response to impacts identified



during environmental review and incorporated directly into the project. These policies and actions have been included in the MMRP, are fully enforceable, and are listed below. However, even with the implementation of policies and actions that would reduce potential adverse environmental impacts on a scenic vista or scenic resources in a state scenic highway, the potential remains for significant adverse impacts.

#### MITIGATING POLICIES

**C/OS Action 3.E.1.c.** In issuing a water transfer permit, the Planning Commission shall make the following findings: that the proposed project meets all reasonable beneficial water needs, including uses in-stream and for agricultural operations and recreational purposes, within the basin of origin; and that the proposed project adequately protects water quality, in-stream flows, lake levels, riparian areas, vegetation types, sensitive/rare wildlife and habitat, and related resources such as the visual quality and character of the landscape; and is not likely to increase indirect effects such as flooding, wildfire, and/or sedimentation, or reduce groundwater recharge capacity. Projects that do not adequately protect these resources shall be denied.

**LU Policy 7.B.3.** Ensure that any transfer (by sale or lease) of surface water rights will not impact the natural resource values of the Bridgeport Valley.

**RTP Policy 18.A.3.** Support preservation of the existing heritage trees along US 395 in a manner that ensures roadway safety.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
- iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant impacts on candidate and sensitive species would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Adverse impacts to scenic vistas or scenic resources in a state scenic highway thus represent a significant and unavoidable project impact.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project

objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

2. **General Plan implementation may substantially degrade the existing visual character or quality of a site in the County and surrounding areas.**

- a. **POTENTIAL IMPACT:** Draft EIR pages 4.10-14 through 4.10-15 discuss the potential for the project to degrade the visual character or quality of County sites and surrounding areas.
- b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the potentially significant degradation of the visual character or quality of County lands.
- c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
  - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. In addition, further policies and actions were developed in response to impacts identified during environmental review and incorporated directly into the project. These policies and actions have been included in the MMRP, are fully enforceable, and are listed below. However, even with the implementation of policies and actions that would reduce the potentially significant degradation of the visual character or quality of County lands, the potential remains for significant adverse impacts.

#### MITIGATING POLICIES

**C/OS Action 2.A.3.c.** When applicable, revegetation and landscape plans should include provisions to retain and re-establish upland vegetation, especially bitterbrush and sagebrush, as important mule deer and sage grouse habitat.

**C/OS Action 13.C.4.d.** Seek ways to form partnerships that will facilitate mitigative control or eradication of invasive non-native plants in and around town areas. Identify and explore methods of forming collaborations, funding, and facilitating such programs.

**C/OS Policy 4.A.5.** Projects within 30 feet of or that may otherwise impact wetland or riparian vegetation shall implement best management practices as recommended by the State Water Quality Control Board.

**C/OS Policy 4.A.7.** Continue to support "no net loss" of wetlands at a regional scale.

**RTP Policy 18.A.3.** Support preservation of the existing heritage trees along US 395 in a manner that ensures roadway safety.

**C/OS Action 3.E.1.b.** Applications for out-of-basin water transfers shall be submitted to the county Planning Division and shall include the following information: point of extraction; amount of extraction; nature and location of conveyance facilities; and identification of potential impacts to the environment such as wildlife and riparian habitat, wetlands, in-stream habitat, other water users (e.g., agricultural operators), and also including indirect effects such as the potential for increased flood risk due to reduced wetlands, and increased fire hazard risk that could result in increased sedimentation and reduced groundwater recharge capacity.

**C/OS Action 3.E.1.c.** In issuing a water transfer permit, the Planning Commission shall make the following findings: that the proposed project meets all reasonable beneficial water needs, including uses in-stream and for agricultural operations and recreational purposes, within the basin of origin; and that the proposed project adequately protects water quality, in-stream flows, lake levels, riparian areas, vegetation types, sensitive/rare wildlife and habitat, and related resources such as the visual quality and character of the landscape; and is not likely to increase indirect effects such as flooding, wildfire, and/or sedimentation, or

reduce groundwater recharge capacity. Projects that do not adequately protect these resources shall be denied.

**C/OS Policy 3.E.2.b.** Applications for groundwater export projects shall obtain a Groundwater Transfer permit (Mono County Code section 20.01), which requires the assessment of the potential impacts of the project prior to project approval in accordance with CEQA, and requires findings to be made. In addition, indirect impacts of increased wildfire risk and sedimentation resulting from fire, and increased flood risk and reduced recharge rates due to reduced or degraded wetlands and riparian areas, should be considered.

**LU Policy 7.B.3.** Ensure that any transfer (by sale or lease) of surface water rights will not impact the natural resource values of the Bridgeport Valley.

**C/OS Action 5.C.2.i.** Proactively collaborate with stakeholders to avoid and minimize impacts to water quality from livestock and grazing activities, and recognize and support the Regional Water Quality Control Board, Sierra Business Council and UC Davis incentives for ranchers to install and monitor the efficacy of grazing management practices in an effort to protect and improve water quality.

**C/OS Policy 4.A.6.** Discourage development within 30 feet of recharge, riparian, and wetland areas to minimize trampling, erosion and siltation impacts, and consider amending the General Plan to specify use and setback requirements. Continue to enforce setback requirements from surface waters.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce to less than significant levels the potential impacts on the visual character or quality of Mono County lands
- iii. **Facts and Reasoning that Support Finding.** The 2015 General Plan policies and actions would ensure that impacts are reduced, and the level of development allowed under the 2015 General Plan is less than currently allowed; however, the only method to eliminate the potentially significant degradation of the visual character or quality of County lands would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Degradation of the visual character or quality of Mono County lands is therefore a significant and unavoidable impact of the project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic

project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

3. **General Plan implementation may create new sources of substantial light or glare that would adversely affect day or nighttime views.**
  - a. **POTENTIAL IMPACT:** Draft EIR page 4.10-16 discusses the potential for the project to create new sources of substantial light or glare that would adversely affect day or nighttime views.
  - b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the potential for the project to create new sources of substantial light or glare that would adversely affect day or nighttime views.
  - c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
    - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. No further feasible mitigating policies and actions were identified in response to impacts determined during environmental review. Even with the implementation of the original project components that would reduce the potential for the project to create new sources of substantial light or glare that would adversely affect day or nighttime views, the potential remains for significant adverse impacts.
    - ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce to less than significant levels the potential for new sources of substantial light and glare.
    - iii. **Facts and Reasoning that Support Finding.** The 2015 General Plan policies and actions would ensure that impacts are reduced, and the level of development allowed under the 2015 General Plan is less than currently allowed; however, the only method to eliminate the potential for the project to create new sources of substantial light or glare would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Creation of new sources of light and glare is thus a significant and unavoidable impact of the project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

## H. AGRICULTURE

No significant adverse impacts on agricultural resources are foreseen, and no Findings or Statement of Overriding Effects are required.

## I. POPULATION AND HOUSING

No significant adverse impacts on population or housing are foreseen and no Findings or Statement of Overriding Effects are required.

## J. PUBLIC SERVICES AND UTILITIES

1. **General Plan implementation may create a need for new or modified governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for police protection, school services, or other public services and utilities.**
  - a. **POTENTIAL IMPACT:** Draft EIR pages 4.13-15 through 4.13-21 discuss the potential for the project to create a need for new or modified governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for police protection, school services or other public services and utilities.
  - b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the potentially significant adverse project impacts on governmental services to ensure adequate levels of public services and utilities.
  - c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
    - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. In addition, further policies and actions were developed in response to impacts identified during environmental review and incorporated directly into the project. These policies and actions have been included in the MMRP, are fully enforceable, and are listed below. However, even with the implementation of policies and actions that would reduce potential adverse environmental impacts associated with public services and utilities, the potential remains for significant adverse impacts.

### MITIGATING POLICIES

**C Policy 4.B.5.** Work with special districts and other appropriate entities to meet community infrastructure needs such as water, sewer, fire protection, etc.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.

- iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to ensure adequate utility service levels would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Adverse impacts to public services and utilities therefore represent a significant and unavoidable project impact.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

2. ***General Plan implementation would not result in a wasteful or inefficient consumption of energy:*** No significant adverse impacts are foreseen and no Findings or Statement of Overriding Effects are required.
3. ***General Plan implementation would not result in land uses that are served by a landfill with insufficient permitted capacity:*** No significant adverse impacts are foreseen and no Findings or Statement of Overriding Effects are required.

## K. NOISE

No significant adverse noise impacts are foreseen, and no Findings or Statement of Overriding Effects are required.

## VII. STATEMENTS OF OVERRIDING CONSIDERATIONS

As required by Public Resources Code §21081(b) and CEQA Guidelines §15093, the County of Mono has balanced the benefits associated with the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* against the unavoidable adverse impacts that would result. The County has included all feasible mitigation measures as policies and action items within the *2015 Updates and Repeal of the Conway Ranch Specific Plan*. The County has also examined alternatives to the proposed project, and has determined that adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* as proposed is the most desirable, feasible, and appropriate action at this time. The other alternatives, while meritorious, are rejected as infeasible based on consideration of the relevant factors discussed in EIR Chapter 6.

### A. Significant Unavoidable Impacts

Based on the information and analysis set forth in the EIR and summarized in Section III of these Findings, implementation of the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* would result in project-specific significant and unavoidable adverse impacts related to:

- **Biological Resources**, including candidate/sensitive/special status species, riparian habitat, wetlands, migration, and local biological resource protection ordinances
- **Soils and Geologic Hazards**, including exposure to seismic effects and unstable geologic structures, soil erosion, and loss of mineral resources
- **Health and Safety Hazards**, including potential release of hazardous substances, inadequate emergency response, and exposure to wildland fire risks
- **Cultural Resources**, including impacts to prehistoric or historic structures, paleontological resources, and sacred lands
- **Hydrology, Water Quality and Water Supplies**, including violation of water quality objectives, violation of waste discharge requirements, lack of adequate water supplies, and erosion and siltation from altered drainages
- **Recreation**, including impacts on recreational facilities and resources
- **Aesthetic and Visual Resources, Light and Glare**, including impacts to scenic resources in a state scenic highway, degraded visual character or quality, and new sources of light and glare
- **Public Services and Utilities**, including impacts on fire and utility services

### BIOLOGICAL RESOURCES

Recreational activities, development, and population growth associated with the *2015 Updates and Repeal of the Conway Ranch Specific Plan* land uses and project activities would result in a wide range of impacts to biological resources including (a) permanent loss of habitat for special status species, (b) fragmentation of wildlife movement corridors and nursery sites, (c) direct and indirect impacts to special status species, (d) impacts to and loss of wetlands, (e) impacts to locally important floral and faunal resources, and (f) reduction and degradation of sensitive habitats. Biological resources are an important and limited resource and the direct and indirect impacts of implementation on these resources are considered to be significant, unavoidable and adverse.

Land uses and activities that are implemented under the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan*, if approved, would be subject to a wide range of goals, objectives, policies and actions that are intended to protect and enhance the biological resources of Mono County, including many policies and actions that were developed in the course of the environmental review process. However, even with implementation of these policies and actions, the land uses and activities associated with the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* have the potential to considerably contribute to a net reduction in valuable habitats, an increased human presence in the vicinity of special status species, and the loss of candidate/sensitive/special status species. No feasible mitigation is available to fully avoid the direct and cumulative effects on these resources, or to mitigate the contribution to a less-than-significant level. The proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* contribution to this cumulative impact is therefore considerable, and the impact is significant and unavoidable.

## SOILS AND GEOLOGIC HAZARDS

Mono County lies at the boundary of the Sierra Nevada (one of the most geologically young and seismically active regions in North America) and the Basin and Range Province, and is subject to a wide range of geological forces that have produced significant tectonic, volcanic and glacial activity. A wide range of land uses and projects may be undertaken in future years if the *2015 Updates and Repeal of the Conway Ranch Specific Plan* are approved and implemented; these developments and activities, as well as the people who use them, will be subject to the potentially substantial hazards and risks arising from these forces. Mono County is also home to significant mineral resources, the recovery of which may be rendered infeasible if the proposed uses are implemented. The direct and indirect soil and geologic hazards that may be associated with implementation are therefore considered to be significant, unavoidable and adverse.

Land uses and activities that are implemented under the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan*, if approved, would be subject to a wide range of state regulations (including seismic standards that are among the most stringent in the world), as well as a wide range of goals, objectives, policies and actions that are intended to minimize geologic risks and hazards, and optimize the responsible recovery of mineral resources. However, the land uses and activities associated with the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* implementation will inevitably increase the exposure of people and structures to the considerable seismic, geologic and erosional hazards of this region, and also reduce the feasibility of mineral resource recovery. The enforcement of state regulations and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* policies and actions will reduce these direct and cumulative risks and hazards. However, no feasible mitigation is available to avoid the wide range of soils and geologic hazards, or to mitigate the risks of exposure to less-than-significant levels. The project contribution to this direct and cumulative impact is therefore considerable, and the potential impacts are significant, adverse and unavoidable.

## HEALTH AND SAFETY HAZARDS

Mono County highways (particularly US 395 and US 6) are frequently used for the transport of hazardous substances, and there are a number of waste generation facilities located throughout the county. The county is home to three airports and numerous helipads, and is characterized by terrain that makes access difficult and weather conditions and other factors that are conducive to potentially destructive wildfire hazards. As a result of the geologic conditions noted above, many regions throughout Mono County are subject to avalanche, landslides, rockfall, volcanic activity and/or destructive winds. The expanded range and extent of land uses and activities that would result, if the *2015 Updates and Repeal of the Conway Ranch Specific Plan* are approved and implemented, will substantially increase the number of people and structures that are exposed to these wide ranging health and safety hazards. The direct and indirect health and safety hazards that may be associated with implementation are therefore considered to be significant, unavoidable and adverse.

All of the uses and activities implemented under the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* would be subject to wide-ranging regulations (at the federal, state and local/regional levels), and numerous Mono County goals, objectives, policies and actions that are intended to minimize health and safety risks and hazards. However, the land uses and activities associated with the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* implementation will inevitably increase the exposure of people and structures to the considerable health and safety hazards of this region. The enforcement of state regulations and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* policies and actions will reduce these direct and cumulative risks and hazards. However, no feasible mitigation is available to avoid the wide range of health and safety hazards, or to mitigate the risks of exposure to less-than-significant levels. The project contribution to this direct and cumulative impact is therefore considerable, and the potential impacts are significant, adverse and unavoidable.

## CULTURAL RESOURCES

Mono County cultural resources have been shaped by numerous historical and cultural influences that include Native Americans, miners, ranchers, trappers, the military, forestry, and federal and local land managers and governmental.



Though little is known of the paleontology of the region, there is evidence that a marine environment existing prior to the onset of volcanic activity. The significant history of Native American tribes in the region indicates a wide presence of Sacred Lands, many of which are unrecorded. Despite the significant cultural heritage, however, only a limited area has been properly surveyed for historic and paleontological resources, and the Native American tribes are generally reluctant or unwilling to share information about sacred sites. Lacking baseline data, Mono County is not equipped to develop informed policies and actions that would prohibit or restrict access to vulnerable areas. As a result, there is a significant potential that historic, paleontological and sacred lands may be disturbed, vandalized or destroyed as a direct or indirect consequence of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* implementation. Such impacts are potentially significant, unavoidable and adverse

Land uses and activities that are implemented under the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* would be subject to a wide range of regulations (state, federal and local) and to a wide range of Mono County goals, objectives, policies and actions that are intended to minimize the potential for loss or damage to cultural resources. However, the lack of baseline information, coupled with the increased range and number of land uses, activities and people associated with the project, will inevitably increase the potential that the cultural resources of Mono County will be damaged and, in some instances, lost to future generations. The enforcement of regulations and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* policies and actions will reduce these direct and cumulative risks. However, no feasible mitigation is available to avoid the potential damage to or loss of cultural sites and artifacts, or to mitigate the risks of such impacts to less-than-significant levels. The project contribution to this direct and cumulative impact is therefore considerable, and the potential impacts are significant, adverse and unavoidable.

## **HYDROLOGY, WATER QUALITY, WATER SUPPLY**

Recreational activities, development, and population growth associated with the *2015 Updates and Repeal of the Conway Ranch Specific Plan* land uses and project activities would result in a wide range of impacts to hydrologic resources including (a) violations of water quality objectives established by the Lahontan Regional Water Quality Control Board (LRWQCB) to protect the beneficial uses of waters in the county; (b) violation of waste discharge requirements established by LRWQCB to protect waters from the potentially significant adverse effects of point-source and non-point source discharges; (c) lack of water supplies adequate to serve planned future uses; and (d) degradation of ground and surface water supplies resulting from erosion and siltation due to altered drainages. Many of the county's hydrologic resources are classified as 'high quality waters,' indicating that their value contributes not only to Mono County but also to the welfare of the people of California as a whole. The direct and indirect adverse effects on these resources that may result from implementation are therefore considered to be significant, unavoidable and adverse.

Land uses and activities that are implemented under the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* would be subject to a very wide range of regulations (federal, state and local) as well as the *2015 Updates and Repeal of the Conway Ranch Specific Plan* goals, objectives, policies and actions that have been proposed to protect and enhance the hydrologic resources of Mono County (many of which were developed in the course of the environmental review process). However, even with implementation of these policies and actions, the land uses and activities associated with the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* have the potential to increase the number and range and distribution of violations to water quality objective and waste discharge requirements, to exacerbate potential limitations on water supply, and to increase the impacts to ground and surface waters resulting from siltation and erosion. No feasible mitigation is available to fully avoid the direct and cumulative effects on these resources, or to mitigate the contribution to a less-than-significant level. The proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* contribution to this cumulative impact is therefore considerable, and the impact is significant and unavoidable.

## **RECREATION**

Recreation is associated with a wide range of significant and adverse environmental effects. The adverse effects include damage to plants, displaced soil organisms, compaction of mineral soils, nutrient loading, introduction of non-native invasive species, habitat fragmentation, microclimatic changes, and disturbance to the movement, nesting and

behavior of wildlife. The direct and indirect impacts of implementation on these recreational resources are considered to be significant, unavoidable and adverse.

Recreation is also associated with numerous benefits (strengthened communities and social bonds, improved health and longevity, diminished risk of disease and enhanced immune systems, safer and cleaner neighborhoods, increased volunteerism and stewardship), the goal of enhanced recreational opportunities is central to the Mono County *2015 Updates and Repeal of the Conway Ranch Specific Plan*. Recreational uses and activities that are implemented under the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* would be subject to a wide range of regulations (federal, state and local) as well as the extensive list of *2015 Updates and Repeal of the Conway Ranch Specific Plan* goals, objectives, policies and actions that are intended to protect and enhance the recreational resources of Mono County. However, the implementation of these policies and actions will not reduce to less than significant levels the potential adverse effects described in Draft EIR §4.9 and briefly summarized above. No feasible mitigation is available to fully avoid or substantially reduce the direct and cumulative effects on these resources. The proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* contribution to this direct and cumulative impact is thus considerable, and the impact is significant, adverse and unavoidable.

## **AESTHETICS AND VISUAL RESOURCES**

Land uses associated with the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* would allow for a wide range of development to occur in areas that are now undeveloped, or have historically been used for agricultural operations. The introduction of new development into previously undisturbed areas or areas that have been historically used for agricultural operations may result in potentially significant impacts to scenic resources, including scenic resources in state scenic highways, may degrade the visual character of Mono County, and may introduce new sources of light and glare that could impact daytime and nighttime views. The direct and indirect impacts of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* implementation on these visual and aesthetic resources are considered to be significant, unavoidable and adverse.

Land uses and activities that are implemented under the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* would be subject to numerous Mono County goals, objectives, policies and actions that are intended to protect and enhance the substantial visual and aesthetic resources of this region, as well as the formidable regulations created by the National Forest Service, BLM and Caltrans to protect the aesthetic resources of lands under their jurisdiction. The regulations and policies will minimize the direct and cumulative adverse effects of development on aesthetic and visual resources. However, no feasible mitigation is available to avoid the impacts to these resources or to mitigate the risks of such impacts to less-than-significant levels. The project contribution to direct and cumulative impacts on aesthetic and visual resources is therefore considerable, and the potential impacts are significant, adverse and unavoidable.

## **PUBLIC SERVICES AND UTILITIES**

Several of the special districts throughout Mono County are struggling to meet existing demands, and may be unprepared to meet the added demands associated with future growth that would result if the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* are approved and implemented. Issues of particular concern include fire districts with uncertain availability of reliable future water supplies, fire districts with low ISO ratings, fire districts with an insufficient pool of volunteers, areas with access inadequate to assure emergency services, and a general absence of long-term planning documents. These shortcomings have potentially significant ramifications for public health and welfare. The potential for adverse consequences would be amplified by the added service demands associated with project implementation. The direct and indirect impacts of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* implementation on these public services and utilities are considered to be significant, unavoidable and adverse.

The land uses and activities that would be implemented under the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* would be subject to Mono County goals, objectives, policies and actions that are intended to strengthen the provision and delivery of public services and thereby protect the public welfare. The proposed policies and actions will somewhat attenuate the direct and cumulative adverse effects of development on public services and

utilities. However, no feasible mitigation is available to avoid the added burden on these services, or to mitigate the risks of such impacts to less-than-significant levels. The project contribution to direct and cumulative impacts on public services and utilities is therefore considerable, and the potential impacts are significant, adverse and unavoidable.

## **B. Benefits of the Proposed General Plan and Overriding Considerations**

The County of Mono has independently reviewed the information in the EIR and the record of proceedings for the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* project. The County has also made a reasonable and good faith effort to eliminate or substantially lessen the impacts that would result from the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* project by including policies and actions that effectively mitigate potential environmental impacts to the greatest extent feasible, and has balanced the project's benefits against the project's significant unavoidable impacts.

Mono County's economy is primarily supported by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The project provides for a level of development that would allow additional community development as well as additional services and facilities for visitors and residents. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* update also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability.

Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism in the county occurs on publicly owned lands, with support facilities on private lands. It is anticipated that the county's economy will remain primarily dependent on tourism and outdoor recreation, largely due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The local economy has experienced annual fluctuations (at times extreme) due to the seasonal nature of many recreational experiences available in the county. In order to stabilize the economy, it is necessary to expand the range of year-round recreational/tourist opportunities throughout the county.

The *2015 Updates and Repeal of the Conway Ranch Specific Plan* project provides for a level of development that allows community areas to develop additional services and facilities that would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives and provide the following economic, social, legal, and other considerable benefits as described below:

1. *Respect Community Preferences:* The *2015 Updates and Repeal of the Conway Ranch Specific Plan* have been through a community-based process anchored by extensive meetings with the Regional Planning and Advisory Committees, the Planning Commission, the Board of Supervisors and a host of federal, state and local planning partners. These collaborations have been designed to ensure that the *2015 Updates and Repeal of the Conway Ranch Specific Plan* programs respect community preferences and private property rights, and represent a considered balance of the goals, aspirations and capabilities of residents and special interest groups in each community and planning area.
2. *Protect the Outstanding Scenic, Recreational and Environmental Resources of Mono County:* The *2015 Updates and Repeal of the Conway Ranch Specific Plan* place a primary emphasis on preservation and responsible environmental stewardship of the abundant and outstanding visual, biological, geologic, natural, cultural, agricultural, and historic resources that uniquely define the character and ecological importance of Mono County. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide a series of land use maps and a wide range of GIS maps and tools that depict existing development, physical constraints, agricultural preservation, recreational and economic development, geologic and public safety hazards, and incompatible uses. The land use maps assigns densities and

use types to all county lands with the specific intent to enhance safety, livability, and economic vitality in accordance with the needs and wishes of individual Mono County communities and planning areas.

3. *Facilitate Streamlining and Tiering of Future CEQA Documents and Provide Incentives for General Plan Compliance:* The *2015 Updates and Repeal of the Conway Ranch Specific Plan* set forth CEQA procedures designed to minimize redundant cost and effort, and promote community-based and environmentally-sustainable land uses that can be implemented with minimal regulation if consistent with the adopted plans.
4. *Strengthen County Infrastructure:* The *2015 Updates and Repeal of the Conway Ranch Specific Plan* programs focus on activities that will balance the need for adequate infrastructure, housing, and economic vitality with the need for resource management, agricultural preservation, environmental protection, and preservation of a high quality of life for Mono County residents and visitors.
5. *Promote Resource Efficiency:* The *2015 Updates and Repeal of the Conway Ranch Specific Plan* improve mobility options through the development of a multi-modal transportation network that enhances connectivity, supports community and recreational development patterns and goals, minimizes traffic congestion, improves emergency access, promotes public and alternative transportation, strengthens communities through improved Main Street design elements, and increases inter- and intraregional circulation networks. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* also incorporate robust programs to minimize the adverse environmental effects associated with global climate change by implementing practices and policies that limit emissions, promote the efficient use of resources, and support regulations and developments and land use patterns that reduce greenhouse gas emissions.
6. *Strengthen the Mono County Economy and Support Vibrant Rural Communities:* The *2015 Updates and Repeal of the Conway Ranch Specific Plan* include initiatives to enhance the economic vitality of Mono County communities through an expanded range of opportunities for recreational and business development, with supportive service and infrastructure improvement plans. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* programs implement core Mono County principles of sustainable growth by concentrating new development in and directly adjacent to existing communities, thereby minimizing land consumption while maintaining the open space, visual, habitat, recreational, and agricultural uses that support vibrant rural communities throughout the Planning Area.

## VIII. CONCLUSION

After balancing the specific economic, legal, social, technological, and other benefits of the proposed project, the Mono County Board of Supervisors finds that the unavoidable adverse environmental impacts associated with the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project may be considered "acceptable" due to the specific considerations listed above, which outweigh the unavoidable, adverse environmental impacts of the proposed project. The Mono County Board of Supervisors has considered information contained in the EIR prepared for the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* project, as well as the public testimony and record of proceedings in which the project was considered. Recognizing that significant unavoidable impacts may result from implementation of the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan*, the Board of Supervisors finds that the benefits of the General Plan and overriding considerations outweigh the adverse effects of the Project. Having included all feasible mitigation measures as policies and actions in the project, and having recognized and acknowledged all unavoidable significant impacts, the Board of Supervisors hereby finds that each of the separate benefits of the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* project, as stated herein, represents an overriding consideration that warrants adoption of the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* and outweighs and overrides its unavoidable significant effects, and thereby justifies the adoption and implementation of the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan*.

Based on the foregoing findings and the information contained in the record, the Board of Supervisors hereby determines that:

1. All significant effects on the environment due to implementation of the proposed *2015 County of Mono Regional Transportation Plan, General Plan, Countywide Integrated Waste Management Plan, and Noise Ordinance Updates; and Repeal of the Conway Ranch Specific Plan* project have been eliminated or substantially lessened where feasible;
2. There are at the present time no feasible alternatives to the proposed *2015 County of Mono Regional Transportation Plan, General Plan, Countywide Integrated Waste Management Plan, and Noise Ordinance Updates; and Repeal of the Conway Ranch Specific Plan* project that would mitigate or substantially lessen the impacts; and
3. The remaining significant effects on the environment found to be adverse and unavoidable are acceptable due to the factors described in the Statement of Overriding Considerations above.

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