
**CROWLEY LAKE ESTATES
SPECIFIC PLAN AND FINAL EIR**
State Clearinghouse #2001012064

LEAD AGENCY:

Mono County Planning Department
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PROJECT APPLICANT:

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FINAL ENVIRONMENTAL IMPACT REPORT
Crowley Lake Estates Specific Plan Final EIR
SCH #1997032100

INTRODUCTION AND SUMMARY

In keeping with the California Environmental Quality Act (CEQA), this Final Environmental Impact Report (EIR) for the proposed Crowley Lake Estates Project consists of the following five elements:

- the Draft EIR,
- written comments received on the Draft EIR,
- responses to the comments received,
- the final Mitigation Implementation and Monitoring Program, and
- Crowley Lake Estates Specific Plan.

The Draft EIR, which is an integral element of this Final EIR, was distributed on 27 July 2000 for review by various agencies, groups and the general public. The review period for the Draft EIR closed on 12 September 2000 following a 45-day review period.

By the close of the review period, formal comment letters had been received from 18 individuals and agencies. Table 1 below provides a summary overview of the written comments received, and Table 2 provides a key reference linking topics comment letters with the topics raised in each. A great deal of time and effort is reflected in the comments submitted, all of which has made a substantial contribution to the project review.

Table 1
SUMMARY OF WRITTEN COMMENTS ON THE DRAFT EIR

NO.	SOURCE	KEY POINTS
1	Emily Underkoffler	1. Concerned that project would serve employee-housing needs of Mammoth ski area.
2	Mountain Meadows Mutual Water Company (MMMWC)	1. Notes that annexation to MMMWC is not a viable option for adjacent properties impacted by an onsite water well. 2. Indicates that MMMWC water supplies would not be available for fire suppression if annexation does not occur. 3. Notes that maximum day demand may be underestimated. 4. Indicates that an onsite well may require state approval. 5. Notes that well pumping may impact flows in a local spring. 6. Indicates that service to this project may require a new water source and/or water storage. 7. Indicates that any annexation must benefit the water system as a whole and must be approved by a majority of MMMWC shareholders. 8. Annexation would entail a capital investment equivalent to the investment of existing shareholders (on a proportional basis).

3	Long Valley Fire Protection District	<ol style="list-style-type: none"> 1. Notes that pool of available volunteers drops considerably during workdays, and may be too low to serve the project. 2. Indicates that current efforts to enhance fire protection in the Hilton Creek area fall short of need. 3. Indicates that the project should incorporate at least 8-12 units occupied by active volunteers in order to mitigate adverse effects on fire protection. 4. Raises concern that high-tension power lines on site may interfere with firefighting and jeopardize firefighter safety. 5. Cites need for emergency access to rear of each multifamily structure and emergency equipment pads. 6. Indicates that the landscaped roundabouts create a navigation obstacle and increase risk to firefighters and the public. 7. Indicates that the District is pursuing avenues to expand headquarters and augment equipment and supplies.
4	Randy Witters	<ol style="list-style-type: none"> 1. Indicates that employment in Long Valley is limited, and most project residents would be employed in Mammoth; commuting costs could be substantial. 2. Concerned about limited water supplies in the project area. Indicates that a new well, if required, could adversely impact private wells. 3. Requests that the landscaping palette incorporate drought resistant plantings to minimize irrigation demand. 4. Concerned about cost of taxpayer funded services associated with project development.
5	Caltrans	<ol style="list-style-type: none"> 1. Notes project traffic data. 2. Indicates that cumulative effects may necessitate payment of fees for interchange improvements.
6	DiAnne and Hank Brown	<ol style="list-style-type: none"> 1. Notes that Crowley Lake offers negligible employment. 2. Recommends that water "will serve" letter precede project approval. 3. Notes RPAC and community opposition to the project. 4. Indicates that Crowley Lake is not a good location for development of affordable housing. 5. Requests information about day care center. 6. Requests information about the multifamily units. 7. Concerned about impacts on fire protection services. 8. Requests information about impacts on paramedic services. 9. Questions discussion of transit services. 10. Notes community preference for commercial uses.
7	Deborah Preschutti	<ol style="list-style-type: none"> 1. Indicates that project does not maintain rural character per General Plan goals for Long Valley. 2. Indicates that project does not adequately address the water situation in Crowley Lake; requests more detailed studies including consideration of existing mutual water companies. 3. Requests precise landscaping plan. 4. Requests that exterior lighting be prohibited on the second floor

		<ul style="list-style-type: none"> of the multifamily units. 5. Recommends additional parking for the multifamily units. 6. Questions termination of affordability provisions after 18 years.
8	John and Marina Robertson	<ul style="list-style-type: none"> 1. Concerned that project would deprive Crowley Lake of needed commercial land, and future residents of needed public services. 2. Considers the proposed uses incompatible with rural residential character of the area. 3. Indicates that Crowley Lake already offers its proportional share of affordable housing. 4. Concerned about impacts of lighting and glare, potential lack of enforcement of standards.
9	Ron and Kai Day	<ul style="list-style-type: none"> 1. Considers project incompatible with rural residential setting. 2. Provides updated information concerning adjoining lots. 3. Concerned about project impacts on private wells; requests more detailed study of impacts on groundwater conditions and during droughts; requests information about water storage system. 4. Requests additional study of project impacts on fire, police and ambulance services. 5. Questions dimensional accuracy of visual simulations; seeks additional simulations. 6. Asks about location of propane tanks. 7. Indicates that noise and lighting standards should be restrictive. 8. Concerned about protection of ecosystem, and impact of future pets as well as enforcement responsibilities. 9. Believes that traffic study underestimated added trips, and requests reevaluation of traffic impacts. 10. Concerned about hazards related to SCE power lines.
10	Steven and Margaret Brackett	<ul style="list-style-type: none"> 1. Supports long-term availability of affordable housing. 2. Concerned that the project lacks provision for 1) purchase of affordable units, 2) continued affordability after 18 years, and 3) use of all multifamily units as affordable housing. 3. Concerned about availability of adequate water supplies to meet cumulative demands in the community. 4. Indicates need for at least 3 means of entering and leaving the project site. Concerned about location of primary entry in a heavily-traveled section of South Landing Road. 5. Suggests height reduction and lighting limitations to minimize visual impact.
11	Emile Rummel	<ul style="list-style-type: none"> 1. Concerned that project will adversely impact quality of life in project area. 2. Suggests alternative project locations.
12	Roger Barker	<ul style="list-style-type: none"> 1. Disagrees with findings concerning impacts to private wells. 2. Requests review of estimated school enrollment figures. 3. Seeks further review of impacts to Fire and Paramedic services.

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| 13 | Peggy Wozniak | <ol style="list-style-type: none">1. Notes that schools are over capacity.2. Notes that new student populations would be generated in homes vacated by residents of the affordable units.3. Disputes prospect of declining enrollments.4. Indicates that developer fees would not support any busing services, but would be used solely for added classrooms.5. Indicates that District has no intent to collect fees for busing nor is it considering termination of busing services. |
| 14 | California Department of Fish and Game | <ol style="list-style-type: none">1. Disagrees with conclusion that the project site is outside the mule deer corridor; references Sherwin Grade Deer Herd Plan.2. Note that site supports deer use.3. Indicates that cumulative effects on Round Valley Herd are not adequately studied.4. Indicates that site plan does not address a recommended 100' buffer between project improvements and riparian corridors.5. Indicates that a Lake or Streambed Alteration Agreement is required for impacts to a river, stream, lake or any tributary. |
| 15 | Mono County Department of Public Works | <ol style="list-style-type: none">1. Recommends that Tentative Map approval be deleted from list of current actions under review.2. Recommends that phasing be depicted on a map.3. Suggests rewording of road improvement policy.4. Suggests new text concerning land dedications.5. Suggests new text concerning road standards.6. Recommends that Specific Plan text address enforcement and maintenance separately.7. Supports requirement for two means of access.8. Indicates that angle parking and roundabouts (shown in one land use alternative) may be inconsistent with County standards.9. Indicates that detailed grading data would accompany future tentative tract map submittals.10. Seeks clarification concerning proposed stormwater retention; notes alternate standard for 100-year storm event.11. Requests submittal of detailed runoff and erosion control plan with all grading and/or street improvement plans. |
| 16 | Richard Liebersbach | <ol style="list-style-type: none">1. Indicates that student generation and resident populations will be much higher than shown, with impacts more severe than indicated and associated need for mitigation and funding.2. Considers water assessment to be incomplete, and the recommended mitigations to be inadequate and infeasible.3. Indicates that project use of Willow Brook Rd. may not be legal; notes that second access reviewed only in alternatives section; concerned that grade on second access may be unsafe.4. Indicates that increased direct and cumulative traffic on South Landing Road requires mitigation; concerned that project does not address a traffic-calming plan for South Landing Road.5. Indicates that impacts on paramedic services are not evaluated.6. Indicates that proposed use is not permitted by the General Plan, and concerned about project impacts on property values. |
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		<ol style="list-style-type: none"> 7. Notes that sanitation system improvements may be needed to serve the project. 8. Supports the alternative showing single-family lots with a commercial parcel. 9. Indicates that the project would create imbalance in the mix of housing types. 10. Concerned that project incorporates too little commercial land to meet community needs, and too little parking to serve the amount of commercial land proposed. 11. Indicates that socioeconomic effects are significant and adverse.
17	John Pedersen	<ol style="list-style-type: none"> 1. Notes incorrect information concerning groundwater elevations in Crowley Lake Mutual Water Company well #1. 2. Indicates that assessment of groundwater quality impacts would require sampling from a test well.
18	California Department of Conservation	<ol style="list-style-type: none"> 1. Requests discussion of nearby Hilton Creek Fault, which is classified by the Department as an active fault. 2. Indicates that calculated peak ground acceleration is 0.54g, which is considered severe. 3. Recommends that EIR include graphics supporting discussion of seismic hazards. 4. Provides information regarding applicable building codes. 5. Recommends that complete geologic and geotechnical report be provided as part of the EIR process.
19	Governor's Office of Planning & Research - State Clearinghouse	<ol style="list-style-type: none"> 1. Confirms close of public review period. 2. Forwards a copy of comment letters submitted by California Department of Fish and Game (see Letter #14) and California Department of Conservation (see Letter #18).

**Table 2
SUMMARY OF ISSUES RAISED IN COMMENT LETTERS**

TOPICAL ISSUE	SEE THE FOLLOWING COMMENT LETTERS:
Water Supplies, Sanitation	2, 4, 6, 7, 9, 10, 12, 16
Traffic, Circulation, Access, Parking	3, 5, 6, 7, 9, 10, 15, 16
Population, Housing, Employment	1, 4, 6, 7, 8, 10, 16
Land Use, Planning, Community	6, 7, 8, 9, 11, 15, 16
Fire, Police, Paramedics, Schools	3, 6, 9, 12, 13, 16
Visuals, Light and Glare, Aesthetics	7, 8, 9, 10
Biological Resources, Landscaping	4, 7, 9, 14
Fiscal Impacts	4, 15
Alternatives	11, 16
SCE Easement	3, 9
Stormwater Runoff	15
Geology	18

CHANGES RESULTING FROM COMMENTS AND RESPONSES

As a result of comments received on the Draft EIR, several changes have been incorporated into the EIR. These changes are summarized in Table 3.

**Table 3
SUMMARY OF SUBSTANTIVE CHANGES RESULTING FROM THE DRAFT EIR
REVIEW PROCESS**

TOPIC	ISSUE	CHANGES ADDRESSED	RESULTING LANGUAGE OR CHANGES
Impacts on Private Wells	Number of wells in the 10' drawdown zone	Plate 8 in Draft EIR Appendix C shows 3 wells in the 10' drawdown zone; text referred to 2 wells.	Note that 3 private wells are within the calculated 10-foot drawdown zone.
Impacts on Private Wells	Amended Mitigation Measure WQ-2	Changes options for mitigating impacts to two adjacent wells.	WQ-2: In the event that project water supplies are obtained through an on-site well (<u>whether to serve the project or to serve a mutual water company</u>), the <u>potentially significant</u> adverse impacts of the new onsite well upon the adjoining private wells shall be mitigated through (a) improvements to the private wells that restore production capability to a level equal to or greater than pre-project conditions; and/or (b) provision for the private well owners to annex into Mountain Meadows MWD, and/or (c) compensation, if agreeable to the private well owner(s); <u>and/or (c) connection to the new onsite water system, which would meet the water demands of the adjoining residents on a pro-rata cost basis. Prior to, and as a condition of, approval of a final map for the project, the developer must enter into an agreement, acceptable to County Counsel, with the three potentially impacted well-owners demonstrating their consent to one of the above options, unless no on-site well is used. If project water supplies are obtained through a water company (either with or without an on-site well), then prior to, and as a condition of approval of a final map, the developer must submit a will-serve letter indicating that water service will be provided by that company.</u>

Surface Runoff & Erosion Controls	Amended Mitigation Measure WQ-1	Specifies details regarding surface runoff and erosion controls.	WQ-1: All storm flows and drainage generated within Crowley Lake Estates shall be contained on site. <u>All grading and/or street improvement plans submitted for approval shall include a surface runoff and erosion control plan, acceptable to the Department of Public Works. At a minimum, the plan shall (1) identify existing drainage patterns in the project area, (2) assess the individual and cumulative drainage impacts associated with the proposed project, (3) identify the design, size and location of proposed retention structures, (4) include a quantification of potential runoff and sedimentation from erosion and address any potential sedimentation and/or contamination that could enter surface and/or groundwater systems, (5) provide calculations and mapping related to potential impacts on downstream properties, and (6) satisfy requirements of the Lahontan Regional Water Quality Control Board.</u>
Availability of Adequate Water Sources	New Mitigation Measure WQ-3	Prevents development if water sources fail to materialize	<u>WQ-3: In the event adequate water sources fail to materialize to serve the proposed Crowley Lake Estates project, or if available water sources cannot meet relevant water quality standards, approval of the final subdivision maps shall be denied.</u>
School Generation Factors	Adds factor for middle schools	Generation factor of 0.115 students per household for middle school was omitted from Draft EIR analysis and is incorporated in FEIR text.	Increases total school-age population forecast by 6 students, for a revised project total of 26 students.
Street & Parking Standards	Clarifies requirements for road dedication and improvement	Creates separate sections in Specific Plan to address (1) maintenance & operation, and (2) enforcement and affordability.	Specific Plan Section N is now "Maintenance and Operation;" Section O is now "Enforcement and Continued Affordability;" "Processing Procedures" is under Section P and "Financing" is under Section Q.
Site Access	Confirms 2 nd access from S. Landing Road	Notes that grades would not exceed 6% on interior road.	

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CHANGES RESULTING FROM STAFF REVIEW

In addition to the changes resulting from Comment Letters, as shown in Table 3 above, there are two changes to the Specific Plan text that are proposed by County staff. These changes shall be reflected in the final text of the Specific Plan, if approved by the Board of Supervisors:

1. An Open Space designation shall be added to Exhibit 6a (the Specific Plan Map) that depicts the boundaries of the wetlands areas along the southern and the northwestern project boundaries.
2. The language under Specific Plan Section M.1, M.2, and M.3 shall be linked to the specific land use designations shown in Exhibit 6a, as amended.

CEQA CONSIDERATIONS

The findings contained in this Final EIR indicate that there are no significant, unavoidable, adverse impacts that would result from project approval and implementation, provided that all mitigation measures are implemented as described in the Comprehensive Mitigation Implementation and Monitoring Program (see Appendix B), as amended herein. This finding indicates that there is no need for the Mono County Board of Supervisors to adopt a Statement of Overriding Considerations in order to approve any element of the proposed Crowley Lake Estates project including (1) the Specific Plan, (2) the General Plan Amendment, or (3) the Tentative Tract Map (an anticipated subsequent application).

APPENDICES

This document contains the following information for review by the Mono County Planning Commission and Board of Supervisors:

- Appendix A: Comments on the Draft EIR and Responses to Comments.
- Appendix B: Comprehensive Mitigation Implementation & Monitoring Program
- Appendix C: Final Crowley Lake Estates Specific Plan

APPENDIX A

**COMMENTS ON THE DRAFT EIR
FOR CROWLEY LAKE ESTATES
AND RESPONSES TO COMMENTS**

#1

***Response to correspondence received from Emily Underkoffler, Resident.
Comment letter dated 31 July 2001.***

Ms. Underkoffler's concerns regarding the proposed project are directed to the Mono County Planning Commission and Board of Supervisors, for consideration in deliberating whether the project should be approved. The comments are noted herein; no response is requested.

#2

Response to correspondence received from David J. Richman, President, Mountain Meadows Mutual Water Company. Comment letter dated 13 August 2001.

The detailed comments submitted by Mountain Meadows Mutual Water Company (MMMWC) are noted. Responses are provided below.

1. Page 128 WQ-2: The applicant is no longer pursuing annexation into MMMWC. Instead, the applicant is now proposing to develop a private onsite well, as was also evaluated in the Kleinfelder report. This decision was an outgrowth of the comment letter submitted by MMMWC, and reflects the potentially high cost of joining MMMWC and the uncertainty of obtaining a favorable vote from existing shareholders.

The Kleinfelder Report concluded that a private onsite well would have potentially significant impacts on three private wells. Mitigation Measure WQ-2, provided in the Draft EIR to reduce the impact on the 3 private wells to less than significant levels, has also been amended in response to the comment letter from MMMWC. However, in order to hold open the range of water service options while simultaneously guaranteeing that resulting impacts will not rise to a level of significance, the measure has been amended in such a way that protections would be in place under any of the potential avenues for obtaining water service. Additionally, a new Mitigation Measure WQ-3 has been added to strengthen and reinforce the requirement that project water supplies must be adequate in terms of both quantity and quality. Both measures are shown below:

WQ-2: In the event that project water supplies are obtained through an on-site well (whether to serve the project or to serve a mutual water company), the potentially significant adverse impacts of the new onsite well upon the adjoining private wells shall be mitigated through (a) improvements to the private wells that restore production capability to a level equal to or greater than pre-project conditions; and/or (b) ~~provision for the private well owners to annex into Mountain Meadows MWD, and/or (c)~~ compensation, if agreeable to the private well owner(s); and/or (c) connection to the new onsite water system, which would meet the water demands of the adjoining residents on a pro-rata cost basis. Prior to, and as a condition of, approval of a final map for the project, the developer must enter into an agreement, acceptable to County Counsel, with the three potentially impacted well-owners demonstrating their consent to one of the above options, unless no on-site well is used. If project water supplies are obtained through a water company (either with or without an on-site well), then prior to, and as a condition of approval of a final map, the developer must submit a will-serve letter indicating that water service will be provided by that company.

"WQ-3: In the event adequate water sources fail to materialize to serve the proposed Crowley Lake Estates project, or if available water sources cannot meet relevant water quality standards, approval of the final subdivision map shall be denied."

2. Appendix B Long Valley Fire Protection District Letter: The comment is noted concerning injunctive relief in the event that MMMWC water supplies are used to suppress fires on an un-annexed parcel.

3. Kleinfelder's Water Resource Assessment: MMMWC's comments concerning maximum day demand are noted. A consumption factor of 58 gpm for the project as a whole would increase project-related maximum day demand from 69,000 gpd (as estimated in the Draft EIR) to about 83,500 gpd, increasing current MMMWC system maximum day demand from 294,100 gpd to about 308,600 gpd, and build-out maximum-day demand from 482,060 to about 496,550 gpd (about 344.8 gpm). This level of demand would, if applicable, exceed the existing system yield and underscore the need for an additional well in order to maintain levels of service. These concerns may no longer apply, since the applicant has determined not to pursue annexation to MMMWC. However, Mitigation Measures WQ-2 and WQ-3 would be in place to address the potentially significant impacts associated with such a new well, if proposed.

4. Page 3: The potential requirement for State approval of a new well is noted.

5. Page 7: The comment is noted concerning the presence of a spring near MMMWC wells one and two, and the impact on this spring of groundwater production.

6. Page 8: As noted in response to item 1 above, the applicant is no longer pursuing annexation into MMMWC, and is now pursuing development of an onsite well as evaluated in the Kleinfelder report. This decision was an outgrowth of the comment letter submitted by MMMWC, and reflects the potentially high cost of joining and the uncertainty of obtaining a favorable vote from existing shareholders. As discussed above, however, the water supply Mitigation Measures provided in this Final EIR (WQ-2 and WQ-3) have been written in a manner that provides protections for all potential water service options.

Response to correspondence received from Fred Stump, Chief, Long Valley Fire Protection District. Comment letter dated 19 August 2001.

The comments of the Fire Chief concerning responsibilities of the Fire Protection District are noted herein, as are the issues raised concerning the potential impact of the project on fire protection services. Responses to individual comments are provided below.

1. Impact on Call Volume. The Fire Chief indicates that the number of available volunteers, which averages 20, drops precipitously during the workweek to between 2-7; the Chief is concerned that this weekday pool may be inadequate to provide reliable fire service given the increased demands that would accompany the proposed project. Additionally, the fire chief indicates that although regional solutions are being actively sought, their success is not guaranteed and funding limitations impose restrictions on the District's ability to hire needed staffing.

As indicated in the EIR, the project is considered to have a less than significant impact on fire services. This conclusion reflects the fact that all structures on the site will be fully sprinklered, and will meet all current applicable building codes and standards governing fire safety protection. In the absence of a moratorium on development, or special fire safety requirements that would apply equally to all proposed developments in the area, compliance with mandated codes and standards is sufficient and adequate to reduce impacts on fire safety to a level that is less than significant.

2. High-Tension Power Lines. The Fire Chief indicates that fire control operations in the vicinity of the high-tension power lines may create unacceptable risk to firefighters from arcing. To address this concern, SCE was contacted.¹ SCE provides fault protection equipment on all lines located in high fire danger areas (essentially all rural areas, including the Crowley Lake area). The fault protection systems are designed to sense, within a fraction of a second, any fault occurring in the system. When a fault is detected, the system instantaneously deactivates the flow of power through the line. Approximately 15 seconds after the system has closed, a retest occurs. If the fault is still present, the system is fully locked. The power remains shut off until SCE personnel visit the site, conduct a retest and, if the fault has been eliminated, restore the flow of energy. SCE indicates that this system has proven fully protective of fire fighting activities in close proximity to power lines.

Please note that no structures are located within the SCE easement. All land uses shown within the project plan conform to the numerous setback and design requirements set forth by SCE for all projects that adjoin power easements. Additionally, the power lines meet all "sag" standards of the California Public Utilities Commission. These standards are designed to ensure that structures and equipment do not come into contact with the power lines, even under periods of high heat.

¹ Mr. John Sirugo, Manager of EMF Research, SCE, telephone communication of 17 September 2001.

3. Site Access. As noted, a mitigation measure has been proposed to incorporate a second formal ingress/egress to the project site, consistent with the Fire Chief's request. The concerns expressed by the Fire Chief regarding the landscaped roundabouts are noted. Please bear in mind that these roundabouts are proposed in concept, as an aesthetic element and for traffic calming along South Landing Drive. During Site Plan review, these features will be subject to review and comment by the Fire District, the Public Works Department, and other agencies. The roundabouts will be eliminated from the project design if they cannot be designed in a manner that meets all relevant standards and safety guidelines.

4. Equipment Purchases. Corrections concerning the District's plans to acquire additional equipment and staff, as well as the pending FEMA Grant application, are acknowledged and incorporated into the formal record herein.

Response to correspondence received from Randy Witters, Crowley Lake Resident. Comment letter dated 22 August 2001.

1. Employment Commuting. The reader's comments are noted concerning the relative lack of employment in Crowley Lake, the predominance of employment in Mammoth, and the potential costs of commuting. Similar points were expressed in the EIR discussion of Alternative Locations (Draft EIR §8.3.2, page 120) which stated that there is negligible employment in Crowley Lake, and indicated that most employment is located in Mammoth, Bishop, Lee Vining, Bridgeport and June Lake. As noted in that section, "*Housing constructed in those areas may offer their residents more convenient access to employment and services, and may also offer a wider range of goods than is available in Crowley Lake. However, convenience and availability of jobs and services are not environmental impacts under CEQA. Moreover, there has been an increasing demand for housing in Crowley Lake, indicating that its location and lack of services are not a deterrent to living in that community.*" The discussion points out that the project would have value in its proposed location, and is also broadly consistent with goals stated in the General Plan Housing Element. Finally, the absence of significant unavoidable adverse impacts indicates that the alternative of relocating the project would not offer significant environmental advantages over the current location. This conclusion would apply even though alternative sites may be more convenient or offer more jobs, services, goods and lower commuting costs.

2. Water Supply. The concern regarding water supplies in the Crowley Lake Community has been recognized from the outset as a key issue requiring resolution. In response to comments from Mountain Meadows MWC, the applicant is no longer seeking a connection to MMMWC. However, various water supply options are still under consideration, as reflected in Mitigation Measures WQ-2 and WQ-3 (please see the discussion in the introductory section entitled "Changes Resulting from the Comments and Responses").

The concern for landscape irrigation was another issue recognized during the project review. As addressed in the Specific Plan Section M.7, Landscaping, Screening and Open Space Standards (page 44 of the Draft EIR), all landscaping within the common landscaped area of the project must consist of native plant materials. Temporary irrigation shall be provided until the County finds that the plants are viable, at which point the temporary irrigation system will be removed. Owners of the single-family and commercial parcels are also encouraged to use the palette provided in the Specific Plan.

3. Cost of Services. Mr. Witters' concerns regarding fiscal impacts of the proposed Crowley Lake Estates project are noted herein. These impacts were examined in a separate report prepared by Land Use Economics, and submitted to the County under separate cover. The fiscal analysis will be an integral part of the materials considered by the Planning Commission and the Board of Supervisors during their deliberations on the project.

#5

Response to correspondence received from Carolyn Yee, IGR/CEQA Coordinator, California Department of Transportation District 9. Comment letter dated 6 September 2001.

The Department's comments concerning direct traffic impacts associated with the Crowley Lake Estates project are noted herein as consistent with findings contained in the Draft EIR. With respect to cumulative impacts, the traffic capacity analysis indicates that this interchange is presently operating at Level of Service "A." Topic 102 of the Highway Design Manual, which identifies and defines levels of service (LOS) for urban and rural areas, indicates a range from LOS "A" to "E" for urban streets, and from LOS "A" to "D" for rural streets. LOS "A" is the most desirable level, and LOS "D" is the least desirable level for rural streets. In this context, the analysis indicates that the interchange will continue to operate at a LOS "A" even with the addition of the subject project traffic and cumulative traffic from future nearby developments including the Mammoth Lakes/Yosemite Airport expansion, the Hot Creek Commercial development, Sierra Business Park, and other approved projects in the community of Crowley Lake. With the addition of Year 2020 traffic and additional cumulative traffic from future developments, the level of service for this interchange is projected to lower to LOS "B."

Response to correspondence received from DiAnne and Hank Brown, Residents. Comment letter dated 7 September 2001.

1. Employment Opportunities. As noted in the comment letter, the EIR found that the Crowley Lake community offers very few employment opportunities. The EIR also estimated that this project, if approved, would generate 20 direct employment positions in the commercial area, plus an additional 3 indirect jobs through the “multiplier” effect – i.e., new employment positions indirectly supported through the expenditures of project residents.

The comment letter is correct in stating that there is no current proposal to develop the commercial parcel; the project applicant is proposing to sell that lot for future development. Any use of the site other than commercial would require an amendment to the Specific Plan.

In any event, the viability of this project was not found to depend on local or on-site employment opportunities. The EIR concluded that even though the vast majority of regional employment is located in other communities (particularly Mammoth Lakes, Bishop, June Lake, Lee Vining and Bridgeport) the project would still have value in its proposed location. The lack of employment has not been a deterrent to existing residents, and is not expected to be a deterrent to prospective residents of the proposed project.

2. Water Supply. The readers’ concerns with regard to water supply are noted herein, as is the recommendation that the County require a “will serve” letter prior to project approval. As indicated in the EIR, the applicant would not be required to obtain such a letter if the water system proposal is to drill a private on-site well. A “will serve” letter would be required, prior to approval of the final subdivision map, in the event the applicant proposes to join an existing water company.

As discussed in response to comments received from Mountain Meadows Mutual Water Company (Comment Letter #2) the applicant is no longer pursuing annexation into MMMWC, and is now pursuing development of an onsite well as evaluated in the Kleinfelder report. This decision was an outgrowth of the comment letter submitted by MMMWC, and reflects the potentially high cost of joining and the uncertainty of obtaining a favorable vote from existing shareholders. However, all water service options are being held open for purposes of this EIR, as reflected in Mitigation Measures WQ-2 and WQ-3 (please see the introductory section entitled “Changes Resulting from Comments and Responses” as well as the response to Comment Letter #2 above).

3. RPAC and Community Opposition. The readers’ comment concerning a recommendation of denial from the Regional Planning Advisory Committee (RPAC) is noted, and may reflect the prevailing views expressed at RPAC meeting(s). However, the Crowley Lake RPAC has not taken a formal position with respect to the project. RPACs are formed as advisory bodies, with specific responsibility for the establishment of planning policy; RPACs are not charged with the authority or responsibility for review of

individual project proposals. The Browns' comments reflecting local sentiment, as well as community opposition, are noted herein and in the Draft EIR. No response is requested.

4. Affordable Housing. The comments concerning local sentiment regarding affordable housing are consistent with conclusions stated in the Draft EIR, and the EIR also found that employment opportunities are limited in the Crowley Lake community. The need for affordable housing is documented in the Mono County General Plan Housing Element, as discussed in Draft EIR §5.5 on pages 76 and 77. Although it was not possible to determine "fair share" contributions at the community level, the EIR did evaluate this issue at a regional level (in §5.6, pages 79-85) and found that the proposed project would meet 15.4% of the identified very low and low income housing needs of the unincorporated County as a whole, whereas the population of Long Valley as a whole represents just over 20% of the total population of unincorporated Mono County. As noted above, the EIR found that although the majority of job opportunities are located in other communities, the absence of local employment opportunities would not represent a significant adverse impact for the project. Instead, the EIR concluded that the increasing demand for housing in Crowley Lake indicates that its location and lack of services are not a deterrent to living in this community, and that the project would have value as proposed.

5. Day Care Facility. Draft EIR page 25 contained an error, which listed the commercial parcel along with the Day Care Center. The Day Care Center will be part of the Residential Parcel (as indicated on page 24). The text on page 25 is hereby amended to read as follows: 'Commercial/~~Day Care Center~~'. The Day Care Center would be operated by a non-profit center (perhaps a local church).

6. Multifamily Units. An onsite manager would reside in the multifamily units throughout the 18-year LIHTC program duration. The readers' concern is noted, that the need for affordable housing would not terminate at the end of the 18-year affordable program. The terms of this program were established by the project applicant in concert with provisions of the Low-Income Housing Tax Credit program. The project applicant indicates that additional government programs and incentives are generally available to ensure that such units remain affordable after the program expires, and adds that this has been the case in all of the housing programs of which he has been a part that have reached program termination. Although it is not in the purview of this EIR to mandate continued availability of the affordable units beyond the expiration date, the Specific Plan does recognize and support this possibility in §M (Maintenance, Operation and Enforcement, Draft EIR page 49), which states: *"There shall be nothing in these regulations to prohibit continued use of multifamily units as affordable housing after the initial 18-year LIHTC program expires."*

7. Fire Protection Services. The concerns regarding fire protection services were also identified in the detailed comments submitted by Chief Fred Stump of the Long Valley Fire Protection District (Comment Letter #3). As indicated in response to that letter, the proposed project was found in the EIR to have a less than significant impact on fire services because it will conform with all relevant fire safety requirements set forth for individual developments. In the absence of any additional standards, or a moratorium that would apply equally to all proposed development in the Crowley area, compliance with such mandated standards is sufficient and adequate to avoid a significant deterioration of fire response capability.

8. Impacts on Paramedic Services. The proposed project would place additional demands on paramedic services, but the department has reaffirmed its earlier statement that the added demands of Crowley Lake Estates would be within the current ability to provide service.² As noted in §5.10.3.4 (page 99) of the Draft EIR, cumulative growth in the region may in the future require that paramedic resources be augmented; the Sheriff-Coroner believes that such needs may arise sooner rather than later, but no formal plans are currently underway. With respect to existing affordable housing in Mammoth, the Department does not maintain service records for individual projects and indicates that there is no concern that would indicate the need for such records.

9. Transit Services. As noted in this comment, the phrasing of the Draft EIR was unclear as to meaning and is hereby revised as follows: “Inyo-Mono Transit currently provides the only transit services available in all transportation needs for the Crowley Lake Community.”

10. Commercial Uses. The comment concerning local sentiment about commercial use is noted, as is the EIR discussion from which it is drawn. All of this information and will be considered by the Planning Commission and Board of Supervisors in deliberating whether to approve the project proposal.

² Source: Daniel Paranick, Sheriff-Coroner/Director of Emergency Services, Mono County Sheriff's Department. Telephone conversation of 14 September 2001.

#7

**Response to correspondence received from Deborah Preschutti, Resident.
Comment letter dated 9 September 2001.**

1. Mono County General Plan – Rural Character. The comments concerning project impacts on the rural character of Crowley Lake are noted. Although no response is requested, it is pertinent to restate that the proposed project densities are considerably lower than would be allowed under the existing General Plan. For example, approval of triplex units at the maximum permissible density of 15 units per acre where 2 acres are retained for commercial development would yield 105 total units on the site, which is about twice the number now proposed (53 units total). Approval of hotel and/or motel facilities at a maximum permitted density of 40 units per acre could yield even higher numbers, again within the framework of the existing General Plan. The goal of maintaining the rural character of Long Valley was addressed in detail under Draft EIR Table 11, and the project was found to be consistent with all relevant policies, actions and recommendations therein, provided that the final plan (1) incorporates a second point of access, and (2) incorporates a 30-foot setback along the northwestern-most multifamily parking lot. Both of these measures have been incorporated as formal mitigation requirements.

2. Mono County General Plan – Public Services. In response to comments received from the Mountain Meadows Mutual Water Company (MMMWC), the applicant is no longer pursuing annexation into MMMWC, and is now pursuing development of an onsite well as evaluated in the Kleinfelder report. This decision was an outgrowth of the comment letter submitted by MMMWC, and reflects the potentially high cost of joining and the uncertainty of obtaining a favorable vote from existing shareholders.

However, in terms of this EIR it is recognized that a range of potential options are under review. Mitigation Measure WQ-2, provided in the Draft EIR to reduce the impact of an on-site well upon the 3 adjoining private wells to less than significant levels, has been amended in response to the comment letter from MMMWC. The changes to WQ-2 hold open the range of water service options for Crowley Lake Estates, while ensuring that resulting impacts will not rise to a level of significance. Furthermore, in recognition of the concerns expressed with regard to the complexity of water supplies in the Crowley Lake area, a new mitigation measure WQ-3 has been incorporated into the project that would terminate project development unless adequate water sources are obtained. Both measures (i.e., WQ-2 and WQ-3) are shown in the introductory section entitled “Changes Resulting from Comments and Responses.”

3. Specific Plan Development Standards. The Specific Plan incorporates very precise planting requirements and standards, as presented in §M.7 (on page 44 of the Draft EIR). These requirements incorporate native plant materials, with limited irrigation (only as needed to ensure plant viability), and submittal of a detailed planting schedule prior to issuance of a grading permit. Although mature evergreen trees would provide more effective screening, and were incorporated into the original proposal, the plant palette was amended to focus on plant communities that would support wildlife (please

see the discussion concerning wildlife resources, §5.3.3, pages 61-62). The resulting requirements are shown in the excerpt below:

“7. LANDSCAPING, SCREENING AND OPEN SPACE STANDARDS

Landscaping is intended to maintain a sense of continuity with the surrounding lands and to minimize the visual intrusion of Crowley Lake Estates into the adjoining properties. The following standards shall apply:

- a. Plant Materials: All landscaping within a common landscaped area of the Crowley Lake Estates shall consist of native plant materials as outlined in the plant palette below. Landscaping within the single-family residential parcels and the commercial parcels shall be as determined by the owners thereof, and is encouraged to utilize this palette. This palette contains only plants that are native to the Mono County region, are well adapted to the area and have value to native wildlife. Seed and plant materials shall be obtained locally to assure genetic adaptation to the local area.
 - Aspen Tree *Populus Tremuloides*
 - Arroyo willow *Salix lasiolepis*
 - Big sagebrush *Artemisia tridentata*
 - Bitterbrush *Purshia tridentata var. not glandulosa*
 - Desert peach *Prunus andersonii*
 - Desert snowberry *Symphoricarpos longiflorus*
 - Jeffrey pine *Pinus jeffreyi*
 - Lupine *Lupinus argenteus*
 - Narrow leaf willow *Salix exigua*
 - Rabbitbrush *Chrysothamnus spp.*
 - Single-leaf pinyon pine *Pinus monophylla*
- b. Landscape Irrigation: A temporary irrigation system shall be provided for irrigation of the common landscape areas. The temporary system shall remain in place until the County finds that supplemental irrigation is no longer required to maintain plant viability, and shall then be removed.
- c. Landscape Maintenance: All landscaping shall be maintained in a neat, clean, and healthy condition. This shall include proper pruning, mowing, weeding, litter removal, fertilizing, replacement, and irrigation as needed.
- d. Landscape Plan: A detailed landscape planting schedule shall be prepared prior to issuance of a grading permit that incorporates the approved plant materials, identifies planting mix to be used, and describes the duration and components of the initial irrigation and fertilization program until plants are established.
- e. Interior Street Screening: Where proposed, walls and fences along streets and boundaries shall have a maximum height of six feet (6'). No fencing shall be allowed in the common landscape areas.”

4. Lighting Standards. The Specific Plan provides strict guidelines for all lighting within the project. These standards, excerpted below from §M.11, page 48 of the Draft EIR), are considered adequate to ensure that project lighting will not have a significant adverse impact, including the impact of exterior lighting on the 2nd floor of project structures:

“Lighting standards within Crowley Lake Estates shall be as described below.

- a. Exterior lighting in Crowley Lake Estates shall be the minimum required for public safety.
- b. The source of lighting must be concealed on all exterior lighting.
- c. All lighting, interior and exterior, must be designed to confine light rays to the premises of Crowley Lake Estates. In no event shall a lighting device be placed or directed so as to permit light to fall upon a public street, highway, sidewalk, or adjacent lot or land area.
- d. All signs and lighting shall emit a light of constant intensity.
- e. All exterior lighting fixtures shall be of uniform design and materials, and painted a non-reflective color that conforms to the Design Guidelines herein and blends with the surrounding environment.
- f. All exterior lighting shall feature low-intensity lighting.
- g. Sign lighting shall be as indicated under Sign Standards, Section 11 above.”

5. Parking Standards. Although the County standards for multifamily housing calls for 2 stalls per unit, the requirement for Crowley Lake Estates has been set at 1.5 stalls

per unit. This reflects a number of considerations including other parking ordinances, SCE requirements, layout options presented on the site, environmental considerations (including the goal of minimizing asphalt paved surfaces), and the ability to augment parking through a shared parking agreement with the commercial site and day care center. Even more parking is provided in the alternative design shown in Exhibit 11 which includes 1.9 stalls per multifamily unit, plus the option of shared parking agreements with the commercial and day care centers.

6. Affordable Housing. The General Plan Housing Element contains numerous provisions that represent forms of assistance to support affordable housing. These provisions were reviewed on page 76 of the draft EIR. It is agreed that the need for affordable housing will likely continue if and when the affordable program terminates after 18 years. Although the terms of this program were established consistent with the Low-Income Housing Tax Credit program, the applicant anticipates that government programs and incentives will be available to support continued affordability, as has been the case with all of his prior projects that reached the expiration date. The Specific Plan creates the regulatory basis for continued affordability in §M (Maintenance, Operation and Enforcement, Draft EIR page 49), which states: *“There shall be nothing in these regulations to prohibit continued use of multifamily units as affordable housing after the initial 18-year LIHTC program expires.”*

Response to correspondence received from John and Marina Robertson, Crowley Lake Property Owners. Comment letter dated 9 September 2001.

1. Need for Commercial. The comments concerning the need for commercial services in Crowley Lake are noted, and will be considered by the Planning Commission and the Board of Supervisors as they deliberate whether to approve the proposed project.
2. Rural Character. As noted previously in response to Comment Letter #7, the project was found to be consistent with all relevant policies, actions and recommendations listed under the General Plan Goal of maintaining the rural residential character of Long Valley, provided that the recommended mitigation measures are adopted and implemented (i.e., incorporation of a second point of access, and a 30-foot setback along the northwestern most multifamily parking lot). Both of these measures have been incorporated as formal mitigation requirements. Additionally, project densities (a key measure of rural character) are about half what would be allowed under existing General Plan provisions for triplex development, and even lower in comparison with allowed densities for hotel/motel development.
3. Project Controversy. The point is fairly made and the language of EIR §1.9 is hereby amended to read as shown below:

“1.9 AREAS OF CONTROVERSY

There is one known area of potential controversy associated with the proposed project. The issue concerns the “fair share” responsibility for meeting affordable housing requirements of the region. Some residents of Crowley Lake have expressed their ~~perceived~~ concern that this community already offers more than its proportional share of the affordable housing inventory through the mobile home parks that have long been located in this community, particularly since the community is a negligible source of employment. This issue is discussed in Section 5.6.”

4. Lighting and Glare. As noted in the comment letter, light and glare were addressed in regulations established in the Specific Plan under §M.10 governing signs, and §M.11, governing lighting standards. Compliance enforcement would be the responsibility of the County, as identified under Specific Plan §N (page 49 of the Draft EIR).

Response to correspondence received from Ron and Kai Day, Crowley Lake Residents. Comment letter dated 10 September 2001.

1. General Plan – Rural Character. The comments concerning project impacts on adjoining parcels and on the overall rural character of the community are noted. It is true that proposed site densities including the proposed single-family lots would be higher than found on the adjoining residential parcels. But the proposed densities are considerably lower than the maximum that would be permitted under the existing General Plan, and generally conform to the uses identified therein. The setback along the northern property line, originally shown at 16 feet, was the subject of a mitigation measure requiring at least a 30-foot setback in conformance (note that the existing General Plan setback standards for commercial development are far less stringent than either of these requirements, and specify only a 10' minimum setback in front, a 5' setback in the rear, and a 0' minimum setback along side yards). The Day's adjoining livestock pens and proposed barn are not considered incompatible with the proposed project uses based on existing provisions of the General Plan.

2. Vacant Lots. The correction concerning vacant parcels is noted, as is the information concerning lot sizes and the Crowley Lake Trailer Park. These data are hereby incorporated into the project as stated.

3. Water Supplies. As noted in the Appendix C Sections 6 and 7, the Kleinfelder report used a groundwater model based on a conservative assessment of the available hydraulic parameter data; no fieldwork, water level measurement, or site-specific hydraulic testing was performed. However, the study undertaken by Kleinfelder was sufficient to set forth a reasonably detailed understanding of the potential ramifications of the options under review.

As discussed in response to comments received from Mountain Meadows Mutual Water Company (Comment Letter #2) the applicant is no longer pursuing annexation into MMMWC, and is now pursuing development of a private onsite well as evaluated in the Kleinfelder report. This decision was an outgrowth of the comment letter submitted by MMMWC, and reflects the potentially high cost of joining and the uncertainty of obtaining a favorable vote from existing shareholders.

The Kleinfelder Report concluded that a private onsite well could have potentially significant impacts on three private wells, one of which is located on the Day property (the others are on the Lommori and the Rowan parcels). Mitigation Measure WQ-2, provided in the Draft EIR to reduce the impact on the 3 private wells to less than significant levels, has also been amended in response to the comment letter from MMMWC. The measure is now worded in such a way that protections would be in place under any of the water service options. Additionally, a new measure WQ-3 has been added that reinforces the requirement that project water supplies must be adequate, in terms of both quantity and quality. Both measures are shown below:

WQ-2: In the event that project water supplies are obtained through an on-site well (whether to serve the project or to serve a mutual water company), the potentially significant adverse impacts of the new onsite well upon the adjoining private wells shall be mitigated through (a) improvements to the private wells that restore production capability to a level equal to or greater than pre-project conditions; and/or (b) ~~provision for the private well owners to annex into Mountain Meadows MWD, and/or (c)~~ compensation, if agreeable to the private well owner(s); and/or (c) connection to the new onsite water system, which would meet the water demands of the adjoining residents on a pro-rata cost basis. Prior to, and as a condition of, approval of a final map for the project, the developer must enter into an agreement, acceptable to County Counsel, with the three potentially impacted well-owners demonstrating their consent to one of the above options, unless no on-site well is used. If project water supplies are obtained through a water company (either with or without an on-site well), then prior to, and as a condition of approval of a final map, the developer must submit a will-serve letter indicating that water service will be provided by that company.

"WQ-3: In the event adequate water sources fail to materialize to serve the proposed Crowley Lake Estates project, or if available water sources cannot meet relevant water quality standards, approval of the final subdivision map shall be denied."

4. Sheriff, Ambulance and Fire Protection. Several of those who commented on the Draft EIR requested further investigation concerning impacts to sheriff, and ambulance and fire services. Sheriff-Coroner Daniel Paranick was again contacted for this purpose.³ Mr. Paranick indicated that all developments within the jurisdiction of the sheriff's office and (separately) the paramedic teams add to the workload for these services; Crowley Lake Estates would, if approved, place added demands on both the sheriff's office and on emergency services. There is no formula for assigning the amount of added work associated with individual developments, but the Sheriff-Coroner anticipates that both offices would be able to handle, with existing resources, the added demands associated with the proposed project. Over time, growth in the service areas will necessitate that both of these departments be expanded, including additional staff and additional equipment and resources. There are no formal plans underway at this time, however, to seek such additional resources. With respect to the demands associated with various land uses, Sheriff-Coroner Paranick indicated that the departments do not maintain information at that level. In his opinion, there is no meaningful distinction between permanent residents who occupy market rate housing and permanent residents who occupy affordable housing. In contrast, the Department does maintain statistics indicating that demands may vary between permanent and visitor populations. With respect to fire services, Chief Stump of the Long Valley Fire Protection District has submitted detailed comments on the Draft EIR. Please refer to Comment Letter and response #3 for additional discussion of this service.

5. Visual Impacts. The concerns expressed regarding visual impacts are noted and are consistent with findings contained on page 107 in the EIR, which concluded that the Day residence is the most impacted of all adjoining lots. The moderate-to-major impact to this property would result from three key factors: (1) it has the smallest setback distance to the two-story multifamily units of any other adjoining parcel, (2) there are no intervening single-family lots (or other single-story lots) to buffer the view, and (3) the Day residence is at a slightly lower elevation than Crowley Lake Estates, which heightens the relative profile and visibility of Crowley Lake Estates. To reduce the impact to a level that is less

³ Source: Daniel Paranick, Sheriff-Coroner/Director of Emergency Services, Mono County Sheriff's Department, telephone communication of 17 September 2001.

than significant, 2 mitigation measures were provided in the EIR. One measure (AES-1) requires that the parking lot for the northwestern multifamily unit must be set back a minimum of 30-feet from the property line (instead of 16' as originally shown); and a second measure (AES-2) requires native plantings along the length of the shared boundary with the Day residence. Additionally, the alternative site design (shown in Draft EIR Exhibit 11) relocates the land uses such that the Day residence would adjoin a single-family lot.

The County has indicated that it will also endeavor to allow the Day family to review and comment on the proposed landscape plan, when complete, in order to incorporate a treatment along the common boundary that optimizes screening between the Day residence and the project.

6. Propane Tanks. The applicant proposes a total of 14 propane tanks to be located on the project site, as summarized below.

**PROPOSED PROPANE TANKS ON SITE
CROWLEY LAKE ESTATES**

LAND USE	NUMBER OF UNITS	NUMBER OF TANKS/UNIT	TOTAL NUMBER PROPANE TANKS	SIZE OF EACH PROPANE TANK
Single Family	5	1	5	500 gallons
Multifamily	6	1	6	500 gallons
Day Care	1	1	1	250 gallons
Commercial	1	2	2	500 gallons

Each of the tanks would be screened from offsite view, consistent with requirements provided under Specific Plan §M.7, as amended in the text shown below. The requirement for solid screening around the propane tanks is also intended to enhance public safety for residents and visitors to the site as well as surrounding land uses.

7. LANDSCAPING, SCREENING AND OPEN SPACE STANDARDS

Landscaping is intended to maintain a sense of continuity with the surrounding lands and to minimize the visual intrusion of Crowley Lake Estates into the adjoining properties. The following standards shall apply:

a. *Plant Materials: All landscaping within a common landscaped area of the Crowley Lake Estates shall consist of native plant materials as outlined in the plant palette below. Landscaping within the single-family residential parcels and the commercial parcels shall be as determined by the owners thereof, and is encouraged to utilize this palette. This palette contains only plants that are native to the Mono County region, are well adapted to the area and have value to native wildlife. Seed and plant materials shall be obtained locally to assure genetic adaptation to the local area.*

- | | | |
|--------------------------|-------------------------|---|
| <input type="checkbox"/> | Aspen Tree | <i>Populus Tremuloides</i> |
| <input type="checkbox"/> | Arroyo willow | <i>Salix lasiolepis</i> |
| <input type="checkbox"/> | Big sagebrush | <i>Artemisia tridentata</i> |
| <input type="checkbox"/> | Bitterbrush | <i>Purshia tridentate var. not glandulosa</i> |
| <input type="checkbox"/> | Desert peach | <i>Prunus andersonii</i> |
| <input type="checkbox"/> | Desert snowberry | <i>Symphoricarpos longiflorus</i> |
| <input type="checkbox"/> | Jeffrey pine | <i>Pinus jeffreyi</i> |
| <input type="checkbox"/> | Lupine | <i>Lupinus argenteus</i> |
| <input type="checkbox"/> | Narrow leaf willow | <i>Salix exigua</i> |
| <input type="checkbox"/> | Rabbitbrush | <i>Chrysothamnus spp.</i> |
| <input type="checkbox"/> | Single-leaf pinyon pine | <i>Pinus monophylla</i> |

- b. *Landscape Irrigation: A temporary irrigation system shall be provided for irrigation of the common landscape areas. The temporary system shall remain in place until the County finds that supplemental irrigation is no longer required to maintain plant viability, and shall then be removed.*
- c. *Landscape Maintenance: All landscaping shall be maintained in a neat, clean, and healthy condition. This shall include proper pruning, mowing, weeding, litter removal, fertilizing, replacement, and irrigation as needed.*
- d. *Landscape Plan: A detailed landscape planting schedule shall be prepared prior to issuance of a grading permit that incorporates the approved plant materials, identifies planting mix to be used, and describes the duration and components of the initial irrigation and fertilization program until plants are established.*
- e. *Interior Street Screening: Where proposed, walls and fences along streets and boundaries shall have a maximum height of six feet (6'). No fencing shall be allowed in the common landscape areas.*
- f. *Screening of Parking Areas: For parking areas outside of private residences, no additional screening shall be required. However, no parking shall be allowed in a common landscape area.*
- g. *Screening of Propane Tanks: All propane tanks on site shall be screened from offsite view using any of the solid screening materials permitted below.*
- gh. *Screening Materials: All screening shall consist of one or a combination of the following:*
 - i. *Walls shall consist of textured and colored concrete, rock and stone, brick, tile or similar solid masonry material a minimum of four-inches (4") thick.*
 - ii. *Fencing shall be constructed of wood that harmonizes with building exteriors and has minimal visual impact. Barbed wire and chain link fencing shall not be permitted in any location on Crowley Lake Estates.*
 - iii. *Solid fencing shall utilize gray or tan split face block.*

7. Noise and Light. The recommendation concerning different noise and light standards for rural areas is noted, and will be considered by the Planning Commission and Board of Supervisors.

8. Deer Migration and Wildlife. The readers' comments concerning existing biological resources and habitat values on the site are noted herein. The California Department of Fish and Game also submitted comments on the project to state their concerns regarding deer migration and habitat values. The Department's comments and responses to those comments are contained in Comment Letter #14.

The comments concerning free-roaming pets are also noted, and echo discussion provided in the Draft EIR discussion of existing biological resources (wherein free-roaming dogs are cited as a factor in the absence of special status wildlife on the site). The Specific Plan does prohibit free-roaming pets outside of private residences, and also provides that enforcement shall be the responsibility of the County.

9. Traffic. The concern regarding traffic impacts was also raised in a number of comment letters. Please see the comments submitted by Steven and Margaret Brackett (Comment Letter #10) and by Richard Liebersbach (Comment Letter #16) and the responses thereto.

10. Power Lines. The concern regarding impacts from the SCE high-tension power lines was also raised in the comments submitted by Chief Stump of the Long Valley Fire Protection District. Please see the Chief's comments, and our responses, in Letter #3.

Response to correspondence received from Steven and Margaret Brackett, Crowley Lake Residents. Comment letter dated 10 September 2001.

1. Affordable Housing. The support expressed for affordable housing is noted. It is true that this project does not provide opportunity for ownership of affordable units or for permanent affordability; this is an outgrowth of the specific type of program under which the project is proposed, the Low Income Housing Tax Credit Program (LIHTC). Under this program, the Federal government provides tax credits to each state that may then be allocated to developers proposing qualified low-income housing projects. In exchange for these credits, the developer must agree to rent the units to households with limited incomes at agreed-upon maximum rents. The compliance period for tax credits lasts a minimum of 15 years, but may be required to extend over longer periods; the current project would continue for 18 years.

However, in preparing the EIR and Specific Plan it was recognized that expiration of the LIHTC could result in the loss of a needed affordable housing resource. Section N of the Specific Plan incorporates a provision stating, *“There shall be nothing in these [Specific Plan] regulations to prohibit continued use of multifamily units as affordable housing after the initial 18-year LIHTC program expires.”* The applicant indicates that additional government programs and incentives are generally available to ensure that such units remain affordable after the program expires, and adds that this has been the case in all of the housing programs of which he has been a part that have reached program termination.

2. Water Supply. The concerns regarding water supply are noted. As discussed in response to comments received from MMMWC (Comment Letter #2) the applicant is no longer pursuing annexation into MMMWC, and is now proposing to develop a private onsite well as evaluated in the Kleinfelder report. This decision was an outgrowth of the comment letter submitted by MMMWC, and reflects the potentially high cost of joining and the uncertainty of obtaining a favorable vote from existing shareholders.

The Kleinfelder Report concluded that an onsite well could have potentially significant impacts on three private wells. Mitigation Measure WQ-2, provided in the Draft EIR to reduce the impact on the adjacent private wells to less than significant levels, has also been amended in response to the comment letter from MMMWC, and a new measure has been added to provide assurance that the project will not receive final approvals without demonstration of an adequate water supply. Because the applicant has considered a range of water supply options, these mitigation measures have been written in such a way to provide assurance that impacts will be less than significant regardless of the water supply option ultimately pursued.

3. Project Access. A two-lane street normally requires a pavement width of only 24 feet. However, the project proposal calls for a 30-foot wide paved corridor to serve the internal project traffic circulation. This extra-wide roadway is adequate to accommodate oversized

emergency vehicles and/or winter-related road hazards, eliminating the concern over street closures.

South Landing Road is presently operating at a Level of Service (LOS) "A" with traffic volumes that occupy only 6% of the street's total traffic-carrying capacity. The road will continue to maintain LOS "A" with the addition of the projected traffic from Crowley Lake Estates. With addition of the forecast project traffic, total demand would amount to only 10% of the traffic carrying demand of South Landing Road. The project's peak traffic periods are not expected to coincide with peak traffic periods for other major traffic generators in the vicinity such as the library, community center, etc.

4. Visual Impact. The project is located on a broad northern slope of the Sierra Nevada. Onsite elevations are about 6925' at the lower northern end, and 6980' at the higher southern end, for an elevation gain of 55'. As noted in the discussion of existing aesthetic conditions, *"The site is prominently visible from a number of adjoining parcels, of which there are about ten that share a common boundary. Site visibility is particularly pronounced for the lands and parcels on the south, which overlook the site due to their higher elevation. The site is visible from many northern parcels as well, though less prominently than from the south."*

In response to concerns about the profile and massing of the multifamily structures, the project plan was modified during preliminary County review to eliminate the possibility for a third story as had originally been proposed. Under the proposed Specific Plan, all structures are limited to a maximum of two-stories with a height limit of 35' (inclusive of all utilities and ornamentation and calculated from existing grade). These limitations are consistent with other existing uses in the area, and overall site densities are lower than allowed by the General Plan. Additionally, the multifamily units are grouped toward the site interior, and separated from existing single-family homes in the area by single-family lots along the southern and western site perimeter (between the multifamily and off-site housing). Under this layout, the roofline of the multifamily units would be at elevations 9'+ lower than the roofline of the adjoining homes to the south due to the rising slope gradients in that direction.

The EIR concluded that this design layout would generally succeed in creating separation between the units and surrounding parcels, with the exception of one existing single-family home to the northwest (owned by the Day family). In the latter case, the original design incorporated only a 16-foot setback between the northwestern-most multifamily parking lot and the Day residence. To reduce this impact, the EIR includes a mitigation measure that would require this setback to be increased to a minimum of 30' with added low-to-mid-height landscaping along the setback area to provide a more effective visual buffer between the multifamily structure/parking and the Day residence. Adoption of this measure was found to reduce the visual impact on the Day residence to below a level of significance. The resulting project views were simulated in two schematic illustrations provided in the EIR.

The concerns expressed in regard to project lighting are noted. These concerns were also raised by the Mono County Planning Department, which required that the following mandatory standards be incorporated into the Specific Plan (see §M.11, Draft EIR page 48):

- a. *Exterior lighting in Crowley Lake Estates shall be the minimum required for public safety.*
- b. *The source of lighting must be concealed on all exterior lighting.*

- c. All lighting, interior and exterior, must be designed to confine light rays to the premises of Crowley Lake Estates. In no event shall a lighting device be placed or directed so as to permit light to fall upon a public street, highway, sidewalk, or adjacent lot or land area.*
- d. All signs and lighting shall emit a light of constant intensity.*
- e. All exterior lighting fixtures shall be of uniform design and materials, and painted a non-reflective color that conforms to the Design Guidelines herein and blends with the surrounding environment.*
- f. All exterior lighting shall feature low-intensity lighting.”*

These requirements are specifically intended to assure that the project not stand out at night, but instead present a low profile consistent with other developments in the Crowley Lake Community. Regarding maintenance, the Specific Plan provides (in §N, page 49) that enforcement of the Specific Plan provisions shall be the responsibility of the County. In the event that any use is found not to conform to the requirements stated above, the County shall have the power and the responsibility to obtain all required remedies.

#11

***Response to correspondence received from Emile Rummel, Resident.
Comment letter dated 11 September 2001.***

Mr. Rummel's comments are directed to the Mono County Planning Commission and Board of Supervisors, for consideration in deliberating whether the project should be approved. The comments are noted herein; no response is requested.

#12

**Response to correspondence received from Roger Barker, Resident.
Comment letter dated 11 September 2001.**

1. Water Supply. Mr. Barker is correct in stating that the Kleinfelder report identified potentially significant adverse impacts associated with drilling an onsite well to serve the proposed Crowley Lake Estates project. In addition to the text discussion, the impacts are illustrated in their Plate 8, which shows the calculated contours of the 10-foot drawdown zone (the area of significant impact) and the 5-foot drawdown zone. Although the Draft EIR indicated that two private wells are within the 10-foot drawdown zone, Plate 8 of Draft EIR Attachment C (the Kleinfelder Report) shows that three wells are within this zone. One well is on the Lommori property, one is on the Rowan property, and one is on the Day property.

As noted, the Kleinfelder report also examined the impacts of a new well in Sierra Springs (now part of MMMWC), as well as service from two existing MMMWC wells. Neither of the latter options was found to have potentially significant adverse impacts on groundwater levels. However, the project applicant currently proposes neither of the latter options. As a result of comments received from MMMWC, the applicant is now proposing to drill a private onsite well.

To acknowledge the comments received from MMMWC, and also hold open the full range of options for securing water supplies, Mitigation Measure WQ-2 has been modified and a new measure WQ-3 has been added. These measures are specifically intended to provide a greater level of protection to private wells in proximity to the project site that may experience significant adverse effects as a result of an onsite well, and address not only the quantity of available supplies but also the quality. Both measures are shown in Table 3 of the introductory section entitled "Changes Resulting from Comments and Responses."

2. Fire and Paramedic Services. As noted in the response to comments submitted by Ron and Kai Day (please see Letter #9), Sheriff-Coroner Daniel Paranick was again contacted about the project and he confirmed his earlier statement that the added demands on fire and emergency services associated with this project are expected to be within existing service capability. He also confirmed that the Department would eventually require additional staff and resources as the region continues to grow, but no plans or proposals are currently under review. Please refer to Comment Letter #3, and the response, for additional discussion concerning impacts on the Long Valley Fire Protection District.

#13

**Response to correspondence received from Peggy Wozniak, Ed.D.
Mammoth Unified School District. Comment letter dated 11 September 2001.**

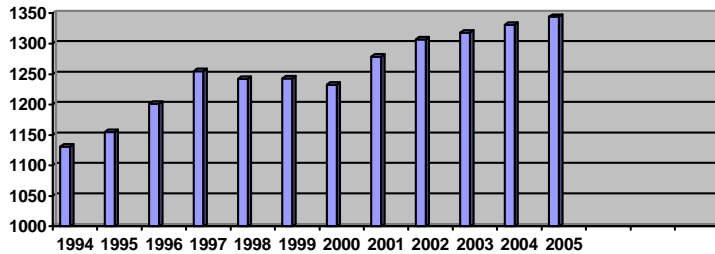
The concerns raised by the School District with respect to the EIR discussion are noted. As indicated by the District, existing schools in the area are all operating at or over capacity. This was also indicated in Draft EIR Sections 5.10.1.5 and 5.10.3.5, which stated that Mammoth Middle School and Mammoth High School are currently operating over capacity, and Mammoth Elementary School is currently at capacity. Students generated by the proposed Crowley Lake Estates project would be beyond the enrollment capacities for these schools.

The Draft EIR indicated that as many as 14 of the estimated 20 students may already be enrolled in District schools, since the affordable multifamily regulations limit occupants to current residents within the County. In response, the District noted that families moving into the housing units vacated by these individuals may nevertheless generate new student populations. The point is fairly made, and the statement is hereby rescinded. The discussion is retained indicating that the existing General Plan designation for this site as commercial does allow for residential development, and could conceivably generate a student population similar to or even higher than the proposed use.

The District indicates in its letter that there is no substantial evidence to support the statement in the EIR that student enrollments may decline. The School District has supplied actual and projected enrollment data from 1994 through 2005 as shown in the table and graph below:

**ACTUAL AND FORECAST ENROLLMENT, 1994 – 2005
MAMMOTH UNIFIED SCHOOL DISTRICT**

Year	Regular Students	Special Education Students	Total Student Population	Percent Change
1994	1094	37	1131	
1995	1118	37	1155	+2.1%
1996	1163	38	1201	+3.9%
1997	1213	42	1255	+4.5%
1998	1201	41	1242	-1.0%
1999	1201	42	1243	+0.1%
2000	1189	44	1233	-0.8%
2001	1235	44	1279	+3.7%
2002	1260	47	1307	+2.2%
2003	1271	47	1318	+0.8%
2004	1283	48	1331	+1.0%
2005	1296	48	1344	+1.0%



These data confirm that there was a modest decline between 1997 and 2000, which formed the basis of the forecast in the EIR. The student generation factors used in the Draft EIR were obtained from the County. As stated in the Draft EIR, those factors included 0.134 high school students per unit, and 0.245 elementary and middle school students per unit. A number of comment letters indicated that the estimate of school age population appeared low. In response, the calculations were rechecked; the student generation factors that apply to middle schools had in fact been omitted. The corrected student generation factors and resulting student estimates for Crowley Lake Estates are shown in the table below. The revised calculations exceed by 6 students the estimate provided in the Draft EIR, and raise the total to 26 students:

**REVISED STUDENT GENERATION FACTORS
FOR OCCUPIED HOUSEHOLDS**

School Level	# Households at Crowley Lake site	Student Generation Factor	Resulting Student Population
Elementary School	53	0.245 students/household	13
Middle School	53	0.115 students/household	6
High School	53	0.134 students/household	7
ALL LEVELS	53	0.494 students/household	26

The District confirmed that these generation factors are based only on occupied housing within the Town of Mammoth Lakes.⁴ This is readily verified by noting that in the 2000 Census, total occupied housing in Mammoth Lakes numbered 2,814; the total student population that year was 1,233, yielding a total student generation factor of 0.438. Adding areas outside of Mammoth Lakes would yield even lower student generation factors per occupied unit.

The corrections offered with respect to busing are noted herein; as are the statements that the School District is not considering the suspension of bus service nor is it contemplating fees to cover the cost of busing.

⁴ Source: Patty Henderson, Business Manager, Mammoth Unified School District, communications of 14 and 21 September 2001.

During a meeting with the School District to review their comments, the District indicated that school-related grants and subsidies are sometimes available to assist developers of low-income housing. The District provided the name and number of its own consultant, who was subsequently contacted by the project applicant in order to determine whether any programs might be available to offset school costs associated with the current project proposal. Although no eligible subsidies have been identified to date, the applicant has indicated that this communication will continue with the goal of securing school funding assistance, if available. Please note that, “State Law prohibits a local agency from either denying approval of a land use project because of inadequate school facilities, or imposing school impact mitigation measures other than designated fees.”⁵

⁵ CEQA Deskbook, 1999 Edition, Ron Bass et al.

#14

Response to correspondence received from Darryl Wong, Supervisor, California Department of Fish and Game. Comment letter dated 12 September 2001.

1. Mule Deer Populations. As noted in the wildlife assessment for the site, the Crowley Lake Estates site is surrounded by rural development. The site is bordered by developed land on four sides. There are residences on three sides of the site and a paved road on the fourth (south) side. There is a church across the road to the south of the site and a trailer park is approximately 200 feet southwest of the site. Free-roaming dogs were also observed near the site. For these reasons the site is not considered to function as a deer movement corridor. If the site functions as a deer movement corridor, then logically the adjacent rural residential development also serves as a functioning deer movement corridor. In terms of wildlife habitat the site is fragmented from other large areas habitat by the surrounding development.

Although not formally cited, the Sherwin Grade Deer Herd Plan was reviewed for the project. The Plan discusses the effect of expanding housing development on deer in the region. The Crowley Lake Estates site functions as an infill project that will not expand the outer borders of residential development. Thus the development of the 9-acre site is not considered to significantly impact deer populations in the region.

2. Mule Deer Movement. As stated in the wildlife assessment, there is a sloping alluvial plain extending from the base of the Sierra Nevada escarpment on the west of the site to Crowley Lake east of the site. Deer movement across the alluvial plain is not strongly constrained by topography, habitat conditions or other natural features. The wildlife assessment also noted that there is an approximately one mile wide expanse of gently sloping habitat between Highway 395 and Lake Crowley to the north of the highway that forms a potential movement corridor for deer. It is acknowledged that deer may suffer mortality crossing Highway 395. It is not possible to determine the significance to the Sherwin Grade deer herd of an unknown potential increase in deer mortality on Highway 395 that could be attributed to the development of the site. In a study of deer highway mortality of the Casa Diablo deer herd in northern Mono County, there was an annual average of 24 deer fatalities on an 11-mile stretch of Highway 395. For comparison, the Sherwin Grade Deer Herd Plan states that there was an average of 136 bucks legally killed by hunters annually between 1954 and 1986.

3. Mule Deer Use of Project Site. It is acknowledged herein, and was also indicated in the Draft EIR, that deer occur on the site. The Department's comment is consistent with our findings.

4. Habitat Loss. Although CDFG indicates that it believes mitigation is required for the incremental loss of deer habitat, the conclusion is not supported by the assessment conducted for this project. The incremental loss of 9 acres of habitat is not considered a significant impact due to: 1) the extensive areas of undeveloped habitat in the region, 2) the site's location in an existing area of rural residential development, and 3) the presence of free-roaming dogs adjacent to the site. The absence of mitigation was a direct outgrowth of the determination that project implementation would not represent a significant impact.

5. Riparian Buffer. It is acknowledged that CDFG recommends a buffer of 100 feet from the riparian habitat on the site, and recognize that a large buffer would provide upland habitat and additional protection for the riparian habitat. However, because the streams and associated riparian habitat will not be removed or altered by the proposed project, there is no local, state, or federal requirement for a buffer of 100 feet.

6. Streambed Alteration Agreement. The Department's comment is acknowledged and we do understand that any project that would substantially alter or divert a stream, or the bed and bank of a stream, must notify CDFG prior to construction and must obtain a Streambed Alteration Agreement. As noted in the Wildlife Assessment and EIR, the proposed project does not propose any development or construction within the areas with streams or riparian habitat on the site. Information provided regarding the notification requirements is appreciated and the project applicant will consult with CDFG to determine whether the proposed project will require a Streambed Alteration Agreement.

Response to correspondence received from Rich Boardman, Public Works Director, County of Mono Department of Public Works. Comment letter dated 12 September 2001.

1. Tentative Map Approval. It is correct, as noted in the comment letter, that the Tentative Map will not be considered as part of the initial project approvals. The reference to the Tentative Tract Map in the Introduction has been amended to note that this is an anticipated subsequent application. At the time the TT Map is submitted, the County would review the map as part of the overall project, and refer to this environmental document and Specific Plan for compliance with CEQA and County regulations.

2. Phasing. The project has two phases that do not readily adapt to mapping and are more easily expressed in words. The first phase would involve all construction and improvements on the multifamily parcel including the day care center, as well as all grading and street improvements for the commercial parcel and the 5 single family parcels, and all improvements for the interior road and utility systems (grading, paving, drainage, water, sanitation, power, etc.).

The second phase would involve the sale and subsequent improvement of the commercial parcel and the 5 single-family parcels. This second phase would occur over time, and it is not known when any of these lot sales might occur, or in what order. In this regard, the second phase is actually a series of 6 individual phases (i.e., 1 phase for the commercial parcel and 5 phases for the single-family parcels) linked to the purchase and improvements of these for-sale lots. Each of these steps may occur individually, but the lots would be created and the improvements constructed as a single subdivision map.

3, 4 and 5. Private and Public Streets. The suggested wording changes on pages 48 and 49 of the Draft EIR are hereby incorporated as follows:

"12. STREET AND PARKING STANDARDS

Street and parking standards within Crowley Lake Estates shall be as described below.

a. Public Streets

i. Public streets (including South Landing Road) shall be improved to the appropriate County road standards prior to recordation of a Subdivision Map."and dedicated to the County during the Subdivision Map process:

ii. Appropriate dedications for RW, Drainage, Snow Storage, Wetlands/Open Space, etc., shall be required in conjunction with the various project phases.

iii. Private roads shall meet or exceed minimum Fire Safe Standards and shall provide for an appropriate maintenance entity prior to the recordation of a Subdivision Map."

6. Maintenance and Enforcement. The Department's concerns regarding distinction between maintenance and enforcement are noted. The text of Specific Plan Sections N et seq. are hereby amended to read as follows:

“N MAINTENANCE AND OPERATION AND ENFORCEMENT

A maintenance entity shall be formed prior to final map approval to maintain the interior street right-of-way, including snow removal and short-term and long-term roadway maintenance and drainage facilities.

O ENFORCEMENT AND CONTINUED AFFORDABILITY

Enforcement of these Specific Plan provisions shall be the responsibility of the County of Mono. There shall be nothing in these regulations to prohibit continued use of multifamily units as affordable housing after the initial 18-year LIHTC program expires.

OP PROCESSING PROCEDURES

1. AMENDMENT

The County, or the ~~The~~ owner or owners of any single lot or lots within the Crowley Lake Estates may initiate an amendment to this Specific Plan. Any amendment to the Specific Plan shall be in accordance with California Government Code §§65500-65507, and Mono County Code §19.46.

a. Any proposed amendment to this Specific Plan must comply with requirements of CEQA as appropriate.

b. An amendment to this Specific Plan may be initiated by the Board of Supervisors of Mono County.

c. Modifications to the subdivision plan after approval of a Tentative Tract Map shall be in accordance with the California Subdivision Map Act and Mono County procedures for implementation of the Map Act.

2. MINOR MODIFICATIONS

a. Minor modifications to the subdivision plan, such as lot ~~line adjustments~~ ~~mergers~~ and divisions, shall not require an amendment to this Specific Plan provided the Mono County Planning Director finds that the modification is consistent with the general nature and intent of this Plan.

PQ FINANCING

All development costs associated with implementation of the Crowley Lake Estates Specific Plan will be privately financed; no public funds will be used. A Fiscal Impact Analysis has been prepared for the project and submitted under separate cover for review by the County.”

7. Fire Safety. The support for a second means of access is noted herein. The EIR includes a mitigation measure requiring that a second access be provided on the site.

8. Angle Parking and Roundabouts. The Department’s comment is noted. Please bear in mind that these roundabouts are proposed in concept, as an aesthetic element and for traffic calming along South Landing Drive. During Site Plan review, these features will be subject to review and comment by the Fire District, the Public Works Department, and other agencies. The roundabouts will be eliminated from the project design if they cannot be designed in a manner that meets all relevant standards and safety guidelines.

9. Grading. The site-specific grading details must be submitted with the future tentative map submittals.

10. and 11. Stormwater Runoff. The stormwater runoff section in the Draft EIR was somewhat confusing. It is noted that the Department's comment that storm design for a 100-year return flow event is yet another potential option for the storm drain system. The proposal for Crowley Lake Estates is as discussed in §5.2.3.2 and stated in mitigation measure WQ-1: to maintain all flows and drainage on site. To clarify this, changes are hereby incorporated into the Summary Table listing potential impacts under "Hydrology and Water Quality" (on page 9 of the Draft EIR), as shown below.

"SUMMARY TABLE - HYDROLOGY AND WATER QUALITY

1. Sanitation services would be provided by Hilton Creek Community Services District (a "will serve" letter would be required).

~~2. Drainage would be handled through onsite infiltration structures designed to accommodate a 20-year storm event. All storm flows and drainage generated within Crowley Lake Estates shall be contained on site.~~

~~3. All grading and street improvement plans shall include a detailed surface runoff and erosion control plan approved by the Dept. of Public Works.~~

Changes are also hereby incorporated into the discussion of stormwater drainage under project elements (on page 26 of the Draft EIR), as shown below.

~~"Stormwater Drainage: All storm flows and drainage generated within Crowley Lake Estates shall be contained on site. Grading and street improvement plans shall include a detailed surface runoff and erosion control plan approved by the Department of Public Works, that identifies existing drainage, evaluates project impacts, indicates the design/size/location of retention structures, quantifies potential runoff and sedimentation, calculates impacts on downgradient properties, and meets the requirements of the Lahontan Regional Water Quality Control Board. from the road system inside Crowley Lake Estates would be channeled into swales along the interior street, directed into drop inlets and subsequently piped to onsite underground drywells. The storm drains would be sized to accommodate a 10-20 year return storm event, as required by the California State Water Resources Control Board (SWRCB)."~~

Finally, the discussion of mitigation measure WQ-1 for hydrology under §5.2.4 is hereby amended to incorporate the detailed language suggested in the Department of Public Work's comment letter regarding the surface runoff and erosion control plan. The changes are reflected in the text excerpt provided below, and will also be reflected in the final Mitigation Implementation and Monitoring Plan:

~~"WQ-1: All storm flows and drainage generated within Crowley Lake Estates shall be contained on site. All grading and/or street improvement plans submitted for approval shall include a surface runoff and erosion control plan, acceptable to the Department of Public Works. At a minimum, the plan shall (1) identify existing drainage patterns in the project area, (2) assess the individual and cumulative drainage impacts associated with the proposed project, (3) identify the design, size and location of proposed retention structures, (4) include a quantification of potential runoff and sedimentation from erosion and address any potential sedimentation and/or contamination that could enter surface and/or groundwater systems, (5) provide calculations and mapping related to potential impacts on downstream properties, and (6) satisfy requirements of the Lahontan Regional Water Quality Control Board."~~

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#16

Response to correspondence received from Richard Liebersbach, Esq., Crowley Lake Resident. Comment letter dated 12 September 2001.

The comments submitted raise issues expressed in many of the comment letters. A number of Mr. Liebersbach's comments are directed at the project proposal, and will be considered by the Planning Commission and Board of Supervisors when they deliberate whether the project proposal should be approved. Many other points are specifically addressed to the adequacy of the EIR; the following text has been prepared in response to those comments.

A. General Comments

1. Schools. Mr. Liebersbach's concern (that the estimated number of students may be low) was reflected in a number of comment letters. The student generation factors used in the Draft EIR included 0.134 high school students per unit, and 0.245 elementary and middle school students per unit. In response to all of these comments, the calculations were rechecked and it was found that the Draft EIR assessment omitted use of the student generation factors that apply to middle schools. The corrected student generation factors, and resulting student estimates for Crowley Lake Estates, are shown in the table below. As shown, the revised calculations exceed by 6 students the estimate provided in the Draft EIR, and raise the total to 26 students:

**REVISED STUDENT GENERATION ESTIMATES
FOR CROWLEY LAKE ESTATES**

School Level	# Households at Crowley Lake site	Student Generation Factor	Resulting Student Population
Elementary School	53	0.245 students/household	13
Middle School	53	0.115 students/household	6
High School	53	0.134 students/household	7
ALL LEVELS	53	0.494 students/household	26

The Mammoth Unified School District also noted (in Comment Letter #13) that no portion of the developers fees may be used to fund busing, and furthermore indicated that the School District is not considering the suspension of bus service nor is it contemplating fees to cover the cost of busing. Reflecting all of these changes, the text of §5.10.3.5 of the draft EIR was amended as shown in the response to Comment Letter #13.

With respect to the basis for the school generation factors, the School District has confirmed that the factors are based only on occupied housing. The factors were applied to the EIR assessment in the same manner. Please refer to comment letter #13 for additional discussion.

Mr. Liebersbach's concerns regarding mitigation and developer fees are noted. During our recent meeting, the School District Business Manager⁶ indicated that school-related grants and subsidies are sometimes available to assist developers of low-income housing. The District provided the name and number of its own consultant, who was subsequently contacted by the project applicant in order to determine whether any programs might be available to offset school costs associated with the current project proposal. Although no eligible subsidies have been identified to date, the applicant has indicated that this communication will continue with the goal of securing school funding assistance, if available.

2. Water. Many of the points made regarding Mountain Meadows Mutual Water Company (MMMWC) have been expressed in the comment letter received from that agency (Comment Letter #2). And as discussed in response to that comment letter, the applicant is no longer pursuing annexation into MMMWC due to the potentially high cost of joining and the uncertainty of obtaining a favorable vote from existing shareholders.

The applicant is now pursuing development of a private onsite well, as evaluated in the Kleinfelder report. The Kleinfelder Report concluded that an onsite well could have potentially significant impacts on three private wells. One of these wells is located on the property owned by the Day family, one on the property owned by the Rowan family, and one is on the parcel owned by Fred Lommori.

To acknowledge the comments received from MMMWC, and also hold open the full range of options for securing water supplies, Mitigation Measure WQ-2 (which was provided in the Draft EIR to reduce the impact on the private wells to less than significant levels), has been modified. The modifications are specifically intended to provide a greater level of protection to private wells in proximity to the project site that may experience significant adverse effects as a result of an onsite well. The modifications to WQ-2 are also intended to address impacts under the full range of water service options that may be considered for this site. The revisions to WQ-2 are shown in Table 3 of the introductory section entitled "Changes Resulting from Comments and Responses."

Mr. Liebersbach is correct in stating that the Kleinfelder report was conducted entirely through the use of modeling. As noted in the Appendix C Sections 6 and 7, the Kleinfelder report used a groundwater model based on a conservative assessment of the available hydraulic parameter data; no fieldwork, water level measurements, or site-specific hydraulic testing was performed. However, the study undertaken by Kleinfelder was sufficient to set forth a reasonably detailed understanding of the potential ramifications of the options under review, consistent with the requirements set forth by the County for this stage of project review.

The County recognizes that there is no warranty concerning actual performance of future wells; such certainty is unobtainable under all circumstances -- whether based on modeling for a future well, or on historic records for an established well. In recognition of the concerns raised by Mr. Liebersbach and others, and in an effort to reinforce the protections already provided in Mitigation Measure WQ-2, a new mitigation measure has been added. The new Mitigation Measure WQ-3, shown below, addresses not only the quantity of available supplies but also the quality of those supplies:

⁶ Source: Patty Henderson, Business Manager, MUSD, communications of 14 September 2001 and 19 September 2001.

"WQ-3: In the event adequate water sources fail to materialize to serve the proposed Crowley Lake Estates project, or if available water sources cannot meet relevant water quality standards, approval of the final subdivision map shall be denied."

3. Access. Information available from the County indicates that Willow Brook Road is a private road, a portion of which (at the entry junction with South Landing Road) is located on the Crowley Lake Estates project site and owned by the site owner. There is no indication from either the County or the applicant that this project would not have full entitlement to the use of this road.

As noted, the project proposal addressed in the body of the EIR (as submitted by the applicant) incorporated a single point of access. Based on a request from the Fire Protection District, the EIR assessment concluded that a second point of access would be needed to reduce potential project impacts to a level that is less than significant. The second access was subsequently incorporated into a project alternative that was illustrated in Exhibit 11. The text discussion accompanying the alternative noted that this circulation plan would also have a potentially beneficial impact in terms of the traffic calming goals developed by the local community.

Within the framework of these concerns, it is proposed that the second access be incorporated as a project element in generally the location shown in Draft EIR Exhibit 11. With respect to the road segment leading toward Willow Brook, the proposal associated with the alternative layout would reflect modified grading in that area to attain a maximum road grade of 6%; there is no part of the internal road that would exceed this maximum. Note that this grading plan would also have the benefit of lowering the elevation of the 3 northerly multifamily units, thereby somewhat reducing the visual impact of these structures.

4. Traffic. South Landing Road is presently operating at a level of service (LOS) "A" with traffic volumes that occupy only 6% of the street's total traffic-carrying capacity. The road will continue to maintain LOS "A" with the addition of the projected traffic from Crowley Lake Estates. With addition of the forecast project traffic, total demand would amount to only 10% of the traffic carrying capacity of South Landing Road. The project's peak traffic periods are not expected to coincide with peak traffic periods for other major traffic generators in the vicinity such as the library, community center, etc.

Regarding the 50% increase over existing traffic, although it may appear that the amount is a significant increase in traffic it is important to view this increase in context. The key issue is the impact of project traffic on the total traffic-carrying capacity of South Landing Road. As noted above, the proposed project would increase demand on this road from 6% of capacity at present to a total of 10% upon full project occupancy. When viewed in this comprehensive way, the increase in traffic is not great and the impact on the total capacity of the road and on street function would not be significant.

5. Land Use. To clarify the uses allowed on commercial land, the text of the current General Plan Land Use Element regulations for Commercial (C) is provided as an attachment to this response. As indicated therein, the intent of this designation is *"to provide for a wide range of uses and services for the resident and visitor including retail, business and professional uses and services in community areas, including commercial*

lodging and higher density housing, when found compatible with retail and service functions.”

As noted in the comment letter from Mr. Liebersbach, the permitted uses allowed under this designation include, *“when found compatible with the intent, single-family residential, duplex and triplex, plus accessory structures.”* The designation also allows, subject to a use permit, *“Household units; if found compatible with the district, apartments, condominiums, etc.”* as well as *“Lodging – e.g., hotels, motels, time-share, R.V. parks, bed-and-breakfast establishments, etc.”* The designation also specifies maximum densities: for residential uses, the maximum allowed density is 15 units per acre; for hotels and motels, the maximum allowed density is 40 units per acre.

As is evident from the text of the General Plan, the proposed project does *not require* a General Plan amendment and could have been processed through a Conditional Use Permit application. The applicant agreed to submit a General Plan application in accordance with the County's request, in order to establish a Specific Plan for the site. The County made this recommendation in recognition of the importance of the project parcel to the community of Crowley Lake; it was understood that a Specific Plan would offer much more detail and regulatory control than would obtain with a conventional Use Permit.

Based on the foregoing information, the EIR concludes that the proposed project is clearly within the broad range of uses allowed under the current General Plan. The EIR also concludes that the proposed densities are less than the maximum that would be permitted under the General Plan. As noted above, the Commercial designation allows up to 15 units per acre for residential uses. The project site occupies 9.16 acres of land, of which 7.34 acres are proposed for residential uses. Under the allowed density, this would yield a maximum permitted density of 110 living units, which is more than double the number of units proposed for Crowley Lake Estates.

B. Specific Comments

1. Pages 5-6, ¶4, Scoping. This paragraph references a number of issues that are addressed in the general discussion above and/or in response to previous comment letters. For discussion of paramedic services, please see Comment Letter #9; for discussion of schools, please see Comment Letter #13; and for discussion of water, please see the discussion under “General Comments” above, as well as the introductory section entitled “Changes Resulting from Comments and Responses,” and Comment Letter #2.

2. Page 6, ¶2, Impact Summary Table. Bob Lavignino of the Hilton Creek Community Services District indicates that all effluent in the community flows by means of gravity to a pump station located at a low point in the vicinity of Sierra Springs. From there, the effluent is pumped to the District's treatment plan (which is at an elevation higher than the community). Both the conveyance lines and the pump facilities have adequate capacity to serve the Crowley Lake Estates project if approved.⁷

⁷ Source: Bob Lavignino, General Manager, Hilton Creek Community Services District, communication of 21 September 2001.

With respect to water, please refer to the discussion under “General Comments” above, as well as the introductory section entitled “Changes Resulting from Comments and Responses,” and Comment Letter #2.

With respect to the second access, please refer to the discussion under “General Comments” above.

3. Page 6, ¶3, Population. The population factors were obtained from the County as representative of housing occupancy within the unincorporated areas.

4. Page 6, ¶4, Traffic. Please refer to the discussion of traffic above, under “General Comments.”

5. Page 7, ¶1, Access. Please refer to the discussion of access above, under “General Comments.”

6. Page 7, ¶2, Schools. Please refer to the discussion of schools above, under “General Comments.”

7. Page 7, ¶3, Alternatives. It is correct that the EIR identifies the plan shown in Exhibit 11 as environmentally superior to the proposed project plan. The conclusion was based on the fact that the alternative eliminates two potentially significant adverse impacts of the proposed plan (lack of a second access and increased setbacks), while also responding to more General Plan goals, while meeting project objectives.

The plan preferred by Mr. Liebersbach, shown in Draft EIR Exhibit 12, was also found to avoid the potentially significant impacts cited above, and was considered more responsive to community sentiment. This plan was not identified as environmentally superior because it did not respond to the board objectives set forth by the County (i.e., “*to create a mix of single-family housing, multifamily housing, commercial development, and ancillary uses on the project site in a manner that can be provided with adequate access and public facilities, consistent with the County’s General Plan Housing Element and Long Valley Plan*”) or the specific goals set forth by the project applicant (i.e., “*to build 48 multifamily housing units (38 affordable and 10 market rate) with a small day care facility on 5.7 acres of the 9.16-acre site*”).

8. Page 7, ¶3, Access. With respect to the second access onto Willow Brook Road, please refer to the discussion of access above, under “General Comments.”

9. Page 7, ¶4, Community Involvement. The Draft EIR makes reference in a number of places to the scope of community involvement and the intensity of local sentiment regarding the proposed project. It is again acknowledged that the community has made a sustained effort to be involved in the planning for this site and for Long Valley as a whole, and that the community has expressed many concerns with respect to the proposed plan.

10. Page 7, ¶5, Population. Please refer to the discussion of population provided above in item B.3.

11. Page 7, ¶6, Water. Please refer to the discussion under “General Comments” above (Item A.2), as well as the introductory section entitled “Changes Resulting from Comments and Responses.”

12. Page 7, ¶7, Fire Protection Access. Please refer to the discussion of access under “General Comments” above (item A.3).

13. Pages 7 and 8, Housing Mix. The comments concerning fair share and housing mix are noted herein. The EIR did incorporate in §5.6.3.2 (page 84) a broad assessment of fair share housing impacts. The assessment concluded that,

“The proposed project will create 38 affordable housing units for very low and lower income households. The five-year housing needs estimated in the Mono County Housing Element included 246 units needed for very low and lower income households. Therefore, the proposed project would meet approximately 15.4% of the identified very low and lower income housing needs in unincorporated parts of Mono County. The population of Long Valley currently represents just over 20% of the total population in unincorporated Mono County.

As future housing needs throughout the County and in Long Valley become better known, and as development proceeds over the next 5 years, these current estimates will be subject to modification. A detailed study of current and forecast growth within the unincorporated communities, coupled with an analysis of existing and proposed affordable housing distribution throughout the County, would permit a more in-depth understanding of the relative contribution of the proposed project to these needs over time.”

14. Page 8, ¶2, Project Decision. These comments are directed to the Planning Commission and to the Board of Supervisors. Mr. Liebersbach’s recommendations supporting the alternative shown in Exhibit 12 are noted. Please be aware that the Draft EIR did analyze the alternative shown in Exhibit 12; please refer to the text contained on Draft EIR pages 122-125.

15. Page 8, ¶3, General Plan Requirements Concerning Water Supply. Please refer to the discussion of water under General Comments item A.2.

16. Page 8, ¶4, Traffic Calming Plan. The traffic analysis discusses this issue in §5.7.3 (page 89), which states that:

“...local residents have expressed concerns regarding unsafe conditions resulting from vehicles speeding on South Landing Road. Although traffic would be well within roadway design capacities, this issue may nevertheless be exacerbated by added traffic. The County has formally recognized this concern with its inauguration of the “South Landing Road/Crowley Lake Drive Work Program,” and is working closely with residents of the community to receive their input regarding improvements to the two roadways. Although no decisions have been made at this time, early discussions have included the possibility of street repaving, and the addition of a bike and pedestrian path along each side of these routes.”

To further respond to this concern, the land use alternative shown in Exhibit 11 incorporates a number of design elements that were intended to support community goals for traffic calming along South Landing Road. These street-side improvements included a “roundabout” at the 2 site entries and diagonal parking along the curbs. It was also suggested that the street-side improvements could be extended to include the existing market and other commercial developments on South Landing Road. Although the County Department of Public Works has indicated in its comments on the Draft EIR that these improvements may not conform to County standards, the Planning Department has

indicated an interest in exploring modifications that would achieve conformance with standards while maintaining elements of the design.

17. Page 8, ¶15, Schools and Paramedic Services. For response to the comments concerning impacts on local schools, please refer to the discussion under “General Comments” above.

The issues concerning paramedic services were addressed in response to Comment Letter #9, Item 4. As indicated therein, the Sheriff-Coroner was again contacted while preparing responses to comments in order to verify the analysis that was provided in Draft EIR Sections 5.10.1.4, 5.10.3.4 and 5.10.4.4. Sheriff-Coroner Daniel Paranick confirmed his earlier statements. In summary, all developments (including Crowley Lake Estates if approved) add to the workload of the sheriff’s office and paramedic teams. The Sheriff-Coroner anticipates that both offices would be able to handle, with existing resources, the added demands associated with the proposed project. Over time, area growth will necessitate additional staff and equipment but there are no formal plans underway at this time to seek such additional resources.

18. Page 8, ¶16, Water Supply. Please refer to the discussion of water under General Comments item A.2 above, and the introductory section entitled “Changes Resulting from Comments and Responses.”

19. Page 8, ¶17, Sanitation. Please refer to the discussion of water under Specific Comments item B.2. As indicated therein, the Hilton Creek Community Services District has adequate capacity in all elements of its system (pumping, line conveyance, settlement ponds and treatment) to provide service to the project if approved.

20. Pages 8 and 9, Water Supply. Please refer to the discussion of water under General Comments item A.2 above, and the introductory section entitled “Changes Resulting from Comments and Responses.”

21. Page 9, ¶12, General Plan Guidelines. Please refer to the discussion of conformance with the General Plan Land Use Element under General Comments item A.5.

22. Page 9, ¶13, Water Supply. Please refer to the discussion of water under General Comments item A.2.

23. Page 9, ¶14, General Plan Guidelines. Please refer to the discussion of conformance with the General Plan Land Use Element under General Comments item A.5.

24. Pages 9 and 10, Commercial Development. Comments concerning the need for additional commercial acreage in Crowley Lake are noted and will be considered by the Planning Commission and the Board of Supervisors. With respect to parking compliance, please see the discussion under General Comments Item A.4.

25. Page 10, ¶12, Socioeconomic Impacts. Comments concerning Mr. Liebersbach’s concerns about socioeconomic effects are noted, but are not supported by the analyses developed as part of the current study. The Draft EIR for Crowley Lake Estates concluded that the project would have no significant impacts on population, housing or

employment. Furthermore, the County also commissioned a Fiscal Impact Analysis to examine costs and revenues of the proposed Crowley Lake Estates project. Although not a part of the EIR, that study (prepared by Land Use Economics and made available to the public for review) concluded that the project would be fiscally balanced on an overall basis.

26. Page 10, ¶3, Access onto Willow Brook Road. Please refer to the discussion of access under “General Comments” above (item A.3).

27. Page 10, ¶4, Population. Please refer to the discussion of population under Specific Comments Item B.3.

28. Page 10, ¶5, Traffic Impacts. Traffic speeding is usually associated with an isolated street that normally experiences light traffic flow. South Landing Road is an example of such a street. For this reason, the increased traffic associated with the project may serve to somewhat minimize the speeding problem on South Landing Road because the street will be more fully utilized (operating at 10% of carrying capacity as opposed to 6% currently). There are other more direct means that can be used to reduce traffic speeding. These measures include the implementation of various traffic-calming measures such as the design elements incorporated in the land use alternative shown in Exhibit 11 (including roundabouts and diagonal parking) or other features. As noted previously in Item #16, the community support for traffic-calming features was addressed in the EIR text discussion of circulation, as well as the traffic-calming design elements of the land use alternative mentioned above.

29. Page 10, ¶6, Access onto Willow Brook Road. Please refer to the discussion of access under “General Comments” above (item A.3).

30. Pages 10 and 11, Dust and Land Use Compatibility. Project impacts associated with fugitive dust emissions during construction and long-term occupancy were addressed in Draft EIR §5.8.3. That assessment concluded that without mitigation, dust emissions during construction would represent a significant adverse impact based on anticipated emissions of 153 pounds per day (and a significance threshold of 82 pounds per day). To reduce this impact to a level that would be less than significant, the Draft EIR provided mitigation measure AQ-1, outlining a range of “Best Available Dust Control Measures.” Implementation of this measure would reduce dust emissions to 61 pounds per day, well within the range considered to be less than significant.

The concerns stated regarding compatibility with adjoining rural land uses will be considered by the Planning Commission and by the Board of Supervisors. Again it is noted, however, that the uses proposed on the site are among those identified in the General Plan under the commercial designation (as discussed above under item A.5), and at densities substantially lower than the maximum densities allowed.

31. Page 11, ¶2, Paramedic Services. Please refer to the discussion of paramedic services under “Specific Comments” item B.17.

32. Page 11, ¶3, Access onto Willow Brook Road. Please refer to the discussion of access under “General Comments” above (item A.3).

33. Page 11, ¶4, Paramedic Services. Please refer to the discussion of paramedic services under “Specific Comments” item B.17.
34. Page 11, ¶5 and ¶6, Schools. Please refer to the discussion of impacts on schools under “General Comments” item A.3; also, please see the comment letter submitted by the Mammoth Unified School District (Comment Letter #13) and the response thereto.
35. Page 11, ¶7, Traffic Calming. Please refer to the discussion of traffic calming under “Specific Comments” item B.16.
36. Pages 11 and 12 Alternative Site Uses. Mr. Liebersbach is correct in stating that the project applicant has constructed affordable triplex units in past projects. And the applicant considered triplex development on the Crowley Lake site in initial stages of the project review. This concept was not pursued for several reasons. The first concerns cost: triplex construction costs are higher than costs associated with the multifamily units, which can impact the affordability range offered in the units. The second concerns processing: the County informed the applicant that processing requirements would be the same for this site (i.e., discretionary) whether the proposal incorporated triplex or higher-density units. These factors lead the applicant to pursue the current proposal for multifamily units. Also, please refer to the discussion of alternatives under “Specific Comments” item B.7.
37. Page 12, ¶2, Access onto Willow Brook Road. Please refer to the discussion of access under “General Comments” above (item A.3).
38. Page 12, ¶3, Water Supplies. Please refer to the discussion of water supplies provided in the Introduction, in response to comments from Mountain Meadows Mutual Water Company (Comment Letter #2), and the discussion of water supplies under “General Comments” above (item A.2), and the introductory section entitled “Changes Resulting from Comments and Responses.”
- .

#17

Response to correspondence received from John Pedersen, Crowley Lake Resident. Comment letter dated 12 September 2001.

1. Groundwater Elevations. The corrections concerning groundwater elevations in CLMWC Well #1 are hereby incorporated into the final record. Please note that the predictions provided in the model pertain to changes in water level, and not to absolute water level elevations. The resulting estimated changes would not be affected by the discrepancy in water level elevation noted in the comment letter. Corrections to the groundwater level contour map, as noted in the Comment Letter, would not change the conclusions regarding project impacts as stated in the Draft EIR.

2. Groundwater Quality. The concerns expressed regarding water quality are noted. The presence of uranium was identified in the report, and is recognized as another limiting factor for local water supplies. In response to the concerns raised in this and other letters, a new mitigation measure WQ-3 has been added to address the outcome if adequate water supplies (including water volume and quality) are not obtained:

"WQ-3: In the event adequate water sources fail to materialize to serve the proposed Crowley Lake Estates project, or if available water sources cannot meet relevant water quality standards, approval of the final subdivision map shall be denied".

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Response to correspondence received from Kenneth Trott, Environmental Coordinator, California Department of Conservation. Comment letter dated 12 September 2001.

1. Hilton Creek Fault. The EIR discusses geological conditions, including fault zones in the study region, in §5.1. As noted by the Department of Conservation, and noted in the EIR as well, the project site is located in proximity to Hilton Creek Fault, which passes about 2 miles west of the site at its closest point. Although outside of the mapped Alquist-Priolo Special Studies Zone, the site is nonetheless in an area designated as Seismic Zone 4 indicating a potential for severe shaking during seismic events.

The Hilton Creek Fault is located largely to the south of the Long Valley Caldera, traversing a length of about 22-29 km (14-20 miles). It is a predominantly right-lateral oblique with down-to-the-east movement, and estimated slip rates of between 0.6-2.0 millimeters per year. The maximum magnitude earthquake estimated for this fault system is 6.7.⁸

2. Peak Acceleration. The information and calculations supplied by the Department are acknowledged with regard to peak acceleration on the site. As indicated, the site is associated with a Design Basis Earthquake (i.e., a 10% chance of exceedence in 50 years) has a Peak Ground Acceleration of 0.54g. This rating indicates that shaking would be perceived by an observer as “severe” and also indicates that potential structural damage would be “moderate to heavy.”

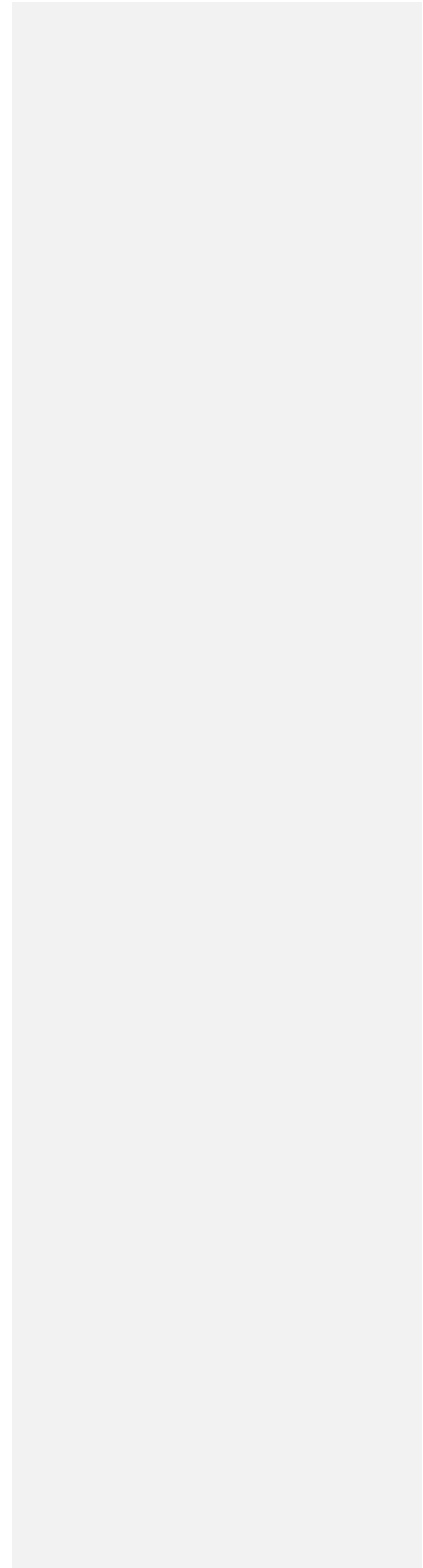
3. Graphics. Attached to this response is Plate 4 from Draft EIR Appendix C (the Hydrological Analysis). This exhibit depicts the project site in relation to the Hilton Creek Fault. The Department’s conclusion is hereby noted that these data call into question the finding that compliance with relevant codes and standards would reduce project impacts to a level that is less than significant. The conclusion contained in the EIR is based upon the thresholds of significance set forth by Mono County, as permitted by CEQA. Within this context, the County has determined that a high degree of exposure to a wide range of geologic hazards is a fact of life for residents of the region, and that this exposure does not rise to a level of significance in terms of environmental reviews.

4. Building Codes. The correction offered by the Department of Conservation concerning building codes is noted. The Mono County Counsel has requested, however, that the text language be preserved as originally stated.

5. Engineering Studies. The Department’s recommendation, that a complete engineering geology and geotechnical engineering report be provided as part of the CEQA process for projects in this region, is noted herein and will be considered by the Planning Commission and by the Board of Supervisors for defining the scope of future project reviews. The scope of analysis provided in the current EIR reflects the County’s

⁸ Source: Appendix C (Geotechnical Analysis), Sierra Business Park Draft EIR, Mono County, July 2001.

determination that standard requirements will suffice for the current project application. This is consistent with other environmental documents prepared in the County as well as in the Town of Mammoth Lakes.



#19

Response to correspondence received from Terry Roberts, Senior Planner, State Clearinghouse. Comment letter dated 13 September 2001.

Correspondence sent by the State Clearinghouse was to acknowledge that state requirements for agency review of the Draft EIR have been met. No response is required.

APPENDIX B

**CROWLEY LAKE ESTATES
COMPREHENSIVE MITIGATION IMPLEMENTATION
AND MONITORING PROGRAM**

CROWLEY LAKE ESTATES MITIGATION IMPLEMENTATION AND MONITORING PROGRAM

REGULATORY AND CODE COMPLIANCE STANDARDS

The project would be subject to a number of California Building Standards Code requirements and standard conditions of approval. These requirements would be imposed by the County and by other agencies (such as the LRWQCB) with jurisdiction by law over the activities in Crowley Lake Estates or the resources affected by those activities. Many of these requirements have been established to safeguard environmental resources, and/or to promulgate environmental goals and objectives. If the project is approved, compliance with these measures would be mandatory (i.e., not discretionary); as such, the measures do not conform to the CEQA definition of mitigation measures, and they are not listed here.⁹ Although regulatory standards and codes are not incorporated into this mitigation program, the applicant would be required to comply fully with all relevant requirements before the necessary permits and approvals are obtained.

ADOPTION

As part of its deliberations concerning the Crowley Lake Estates Specific Plan and EIR, the County Planning Commission and Board of Supervisors would be required to consider the adoption of mitigation measures. Eleven mitigation measures are proposed, as itemized in this section. The measures cover a variety of subjects ranging from water quality to protection of aesthetic values. If the project were approved, it would be necessary for the County to specify which of these measures are to be formally incorporated into the project as conditions of approval.

MONITORING AND REPORTING

Upon project approval, the County would become responsible for ensuring that the mitigation measures incorporated into the project are actually implemented during subsequent project design, construction, operation and maintenance. County staff would be responsible for ensuring that mitigation measures are satisfactorily monitored. County staff would also be responsible for reporting to the Planning Commission and to the Board of Supervisors, as needed, regarding progress in implementing the measures.

The Planning Commission and Board of Supervisors would be responsible for considering whether the measures are being implemented as intended in this mitigation program, and determining whether modifications are required to assure that project impacts remain below a level of environmental significance.

⁹ CEQA defines mitigation as the avoidance, reduction, or rectification of adverse impacts by not taking an action, limiting the magnitude of an action, repairing an impacted environment, undertaking enhanced preservation operations, and/or replacing or providing substitute resources or environments.

MITIGATION MEASURES

GEOLOGY AND SOILS

GS-1: A slope maintenance program shall be developed and implemented to control erosion and maintain the stability of graded slopes. The program shall be submitted to Mono County for review and approval prior to initiation of any grading activities on the site.

Implementation Timing: Prior to issuance of grading permit
Responsible Agency: Mono County Building Department

HYDROLOGY AND WATER QUALITY

WQ-1: All storm flows and drainage generated within Crowley Lake Estates shall be contained on site. All grading and/or street improvement plans submitted for approval shall include a surface runoff and erosion control plan, acceptable to the Department of Public Works. At a minimum, the plan shall (1) identify existing drainage patterns in the project area, (2) assess the individual and cumulative drainage impacts associated with the proposed project, (3) identify the design, size and location of proposed retention structures, (4) include a quantification of potential runoff and sedimentation from erosion and address any potential sedimentation and/or contamination that could enter surface and/or groundwater systems, (5) provide calculations and mapping related to potential impacts on downstream properties, and (6) satisfy requirements of the Lahontan Regional Water Quality Control Board.

Implementation Timing: Prior to issuance of grading permit
Responsible Agencies: Mono County Health Department;
Lahontan Regional Water Quality Control Board

WQ-2: In the event that project water supplies are obtained through an on-site well (whether to serve the project or to serve a mutual water company), the potentially significant adverse impacts of the new onsite well upon the adjoining private wells shall be mitigated through (a) improvements to the private wells that restore production capability to a level equal to or greater than pre-project conditions; and/or (b) compensation, if agreeable to the private well owner(s); and/or (c) connection to the new onsite water system, which would meet the water demands of the adjoining residents on a pro-rata cost basis. Prior to, and as a condition of, approval of a final map for the project, the developer must enter into an agreement, acceptable to County Counsel, with the three potentially impacted well-owners demonstrating their consent to one of the above options, unless no on-site well is used. If project water supplies are obtained through a water company (either with or without an on-site well), then prior to, and as a condition of approval of a final map, the developer must submit a will-serve letter indicating that water service will be provided by that company.

Implementation Timing: Prior to approval of a final subdivision map
Responsible Agency: Mono County Building Department

WQ-3: In the event adequate water sources fail to materialize to serve the proposed Crowley Lake Estates project, or if available water sources cannot meet

relevant water quality standards, approval of the final subdivision map shall be denied.

Implementation Timing: Prior to approval of a final subdivision map
Responsible Agency: Mono County Building Department

BIOLOGICAL RESOURCES

BIO-1: The two riparian corridors shall remain wholly undisturbed during project construction and throughout the life of the project. These areas shall include an approximately 24,000 square foot corridor along the southern property boundary, and approximately 6,300 sq ft. corridor along the northwestern property boundary. In the event of any disturbance to lands within the ordinary high water mark of these designated riparian areas, the applicant shall contact USACE and CDFG to initiate permit applications as required by state and federal laws.

Implementation Timing: Prior to issuance of building permit
Responsible Agency: Mono County Building Department

CULTURAL RESOURCES

No significant adverse effects were identified, and no mitigation measures are required.

LAND USE AND PLANNING

LU-1: A second point of ingress/egress to the site shall be provided on the Site Plan before approval of the proposed General Plan Amendment.

Implementation Timing: Prior to approval of the
General Plan Amendment
Responsible Agency: Mono County Board of Supervisors

TRAFFIC AND CIRCULATION

No significant adverse effects have been identified, and no mitigations are proposed.

AIR QUALITY

AQ1: The project applicant shall comply with best-available dust control measures (BACM) that call for watering of all active construction areas at least twice daily throughout project construction phases, and shall comply with at least two of the following additional BACM: (a) require that all haul trucks be covered, or that a minimum freeboard of 2-feet be maintained at all times; and/or (b) Pave all parking and staging areas, or water such areas a minimum of 4 times daily; and/or (c) Sweep or wash all site public access points within 30 minutes of dirt deposition; and/or (d) Cover all on-site dirt/debris stockpiles, or water the stockpiles a minimum of twice daily; and/or (e) Suspend all construction operations on any unpaved surface when winds exceed 25 mph; and/or (f) Hydroseed or otherwise stabilize all cleared areas that would remain inactive for more than 96 hours after clearing is completed.

Implementation Timing: Prior to issuance of grading permit
Responsible Agencies: Great Basin Air Pollution Control District;
Mono County Building Department

NOISE

No mitigation measures are required.

UTILITIES, SERVICES AND HAZARDS

UTL-1: The plot plan shall contain a secondary access road that meets Fire District standards.

Implementation Timing: Prior to Issuance of a Grading Permit
Responsible Agencies: Long Valley Fire Protection District;
Mono County Building Department

UTL-2: The project shall have access to a water source that can be utilized by firemen before construction begins.

Implementation Timing: Prior to Issuance of a Grading Permit
Responsible Agencies: Long Valley Fire Protection District;
Mono County Building Department

HW-5: All onsite propane tanks shall be sited and maintained in a manner that is satisfactory to the Fire Protection District.

Implementation Timing: Prior to Issuance of a Grading Permit
Responsible Agencies: Long Valley Fire Protection District;
Mono County Building Department

AESTHETICS

AES-1: The parking lot for the northwestern multifamily unit shall be set back a minimum of 30-feet from the property line.

Implementation Timing: Prior to Issuance of a Final Subdivision Map
Responsible Agency: Mono County Building Department

AES-2: Native landscaping shall be provided along the length of the shared boundary with the private residence immediately north of the parking lot. The landscaping shall incorporate varying plant materials ranging in height from low-to-moderate, with the specific intent of providing a visual buffer between the two properties without obstructing views of the private parcel other than those of the project site and multifamily units.

Implementation Timing: Prior to Issuance of Occupancy Permits
Responsible Agency: Mono County Building Department

APPENDIX C
CROWLEY LAKE ESTATES
SPECIFIC PLAN

CROWLEY LAKE ESTATES SPECIFIC PLAN

A INTRODUCTION

The text presented in this Section of the Crowley Lake Estates Specific Plan and EIR constitutes the land use regulation under which development would be governed for the area hereinafter to be referred to as Crowley Lake Estates. If the Specific Plan is adopted, the properties involved would be placed into the Specific Plan district by resolution as adopted by Mono County. The Specific Plan would be considered and made a part of all public hearings on this matter.

B PURPOSE AND OBJECTIVES

The purpose of these proposed Specific Plan regulations is to provide for development of the Crowley Lake Estates in a manner that reflects the spirit and intent of the development regulations of the Mono County General Plan, which also represents zoning within the County. The primary objective of the Specific Plan is to create a mix of single-family and multifamily housing, commercial development, and ancillary uses on the project site in a manner that can be provided with adequate access and public facilities, consistent with the County's General Plan Housing Element and Long Valley Plan. These regulations stipulate site design and site planning standards consistent with Mono County policies governing development and the protection of natural resources.

C CONDITIONAL USE PERMIT AND SITE PLAN REVIEW

Consistency with provisions of the General Plan is ensured through subsequent Conditional Use Permit and Site Plan review procedures established herein. The review process provides for County review of detailed plans for each parcel in Crowley Lake Estates, and provides assurance that each parcel would be planned, constructed and maintained in a manner that conforms to this Specific Plan and is compatible with the surrounding environs. The review process also provides for a timely sequence of County and public review and input. A Conditional Use Permit is required for the commercial parcel in this Specific Plan; site plan review is required for all single-family and multifamily lots.

D AUTHORITY

California Government Code §65507 authorizes a legislative body to adopt an ordinance or resolution requiring that a Specific Plan be prepared when it is in the public interest to do so. Mono County has applied this authority to require Specific Plans under certain conditions. In the current project proposal, the Specific Plan is being used in order to provide a greater level of information and detail regarding the project proposal, consistent with the level of community interest that has been expressed. As noted in the General Plan Land Use Element, a Specific Plan is "intended to function as implementation mechanisms for the General Plan and, once adopted, becomes a part of the General Plan." The County requires that Specific Plans shall include (1) written text describing the project, standards for its development, and an analysis of its relationship to each element of the County General Plan, and (2) mapped information clearly showing the pertinent features of the proposed development as well as conditions affecting site development. As with General Plans, the Board of Supervisors must hold a public hearing before considering adoption of the Specific Plan.

E DEFINITION OF TERMS

Terms used in this Specific Plan shall have the same definitions as given in the Mono County General Plan unless specified otherwise herein.

F REGIONAL AND LOCAL SETTING

The Crowley Lake Estates is proposed on a 9.16-acre parcel located in the unincorporated community of Crowley Lake. Crowley Lake is located in Mono County, at the southern tip of Crowley Lake and roughly 15 miles east-southeast of the Town of Mammoth Lakes. The Mammoth Lakes/Yosemite Airport is located about 5 miles to the northwest. Main streets in the area include South Landing Road (which connects the lake with the community of Crowley Lake) and Crowley Lake Drive (which connects McGee Creek with Tom's Place and passes through the southern end of Crowley Lake).

The project site is located immediately adjacent to and west of South Landing Road, about ½ mile south of Highway 395, and ¼ mile north of Crowley Lake Drive. The property is undeveloped and in its native condition, with the exception of perimeter modifications to facilitate surrounding developments and the SCE power lines.

G PHYSICAL FEATURES OF THE CROWLEY LAKE ESTATES SITE

1. SOILS AND ELEVATION

The site is located on the alluvial slopes of the eastern Sierra Nevada. Site elevations range from 6,926 feet on the northeast to 6,980 on the southwest. No onsite soil testing has been completed, but onsite soils are likely comprised of alluvial materials.

2. VEGETATION

The site contains three habitats. The southern property edge contains a steep, braided stream course that supports a narrow riparian corridor of diverse species; a second stream cuts across the northwestern-most corner of the property, and this stream also supports a corridor of diverse riparian species. The remainder of the site is more xeric, with two scrub habitat types. The less disturbed areas still contain Big Sage Scrub habitat, while the more disturbed areas contain degraded scrub communities. The study area contained 106 species from 26 plant families, with 44 species restricted to the riparian corridor, 45 in the upland scrub, and only 6 found in both areas. The 16 nonnative species found on the site were largely comprised of weedy annuals.

3. VIEWSHED

The site is visible from ridgelines to the south, but cannot be readily seen from most locations to the north, west and east due to intervening trees and structures. The escarpment of the Sierra Nevada dominates mid- and long-range views to the south, and the White Mountains dominate more distant views to the north.

Lake Crowley is the prominent visual feature of the Long Valley, and many of the homes in Hilton Creek are sited to take advantage of these views. Crowley Lake is not readily visible from the project site, however, again due to intervening trees and structures.

The California Department of Transportation has designated the majority of Highway 395 in Mono County as a Scenic Highway of statewide significance. This designation is in recognition of the grandeur of the setting as a whole.

4. LAND USE

The project site is largely vacant. Onsite land uses include two Edison high-power transmission lines, and undeveloped land crossed by numerous foot and bicycle trails and old road scrapes. Surrounding lands on the north, west and south are predominantly residential in use, and lands to the east are commercial and institutional in use.

H GENERAL PLAN CONSISTENCY

The Mono County General Plan provides numerous guidelines for land use and development, and also addresses key issues, opportunities and constraints for individual communities. Tables 1 and 2 below summarize key findings within the General Plan, as developed for the Long Valley planning area, which includes the communities of Hilton Creek/Crowley Lake, in which the project site is located, as well as Long Valley, McGee Creek, Aspen Springs, and Sunny Slopes. Also included are Community Vision, Goals and Policies as reviewed in the Community Issues report prepared for the County by Nelson/Nygaard.¹⁰

**Table 1
LONG VALLEY ISSUES, CONSTRAINTS AND OPPORTUNITIES**

DEVELOPMENT OF SERVICES AND UTILITIES:

Goals and Policies: There is a need to provide services and commercial uses for residents. Existing services, such as water supply and fire protection, need to be upgraded in order to provide for additional development. Crowley Lake/Hilton Creek may need a community water system sometime in the future. There is an opportunity to consolidate existing service entities ... in order to provide more cost effective and efficient services. Long Valley residents are also interested in revitalizing community-oriented commercial uses in Crowley Lake/Hilton Creek, such as a small café, and in providing some professional offices, such as a medical/dental office and a lawyer's office.

¹⁰ Source: Mono County Collaborative Planning Team, Community Issues Final Report, October 2000. Prepared by Nelson/Nygaard.

LAND USES AND LAND USE COMPATIBILITY:

Goals and Policies: There is a desire to develop a self-sufficient community in the Long Valley area and to avoid being perceived solely as a bedroom community for Mammoth.

Goals and Policies: In order to support the additional services and commercial uses desired by residents, there is local interest in providing some additional employment in the area, potentially including some light manufacturing.

RECREATION

Goals and Policies: There is a desire to provide additional recreational development at Crowley Lake and throughout the area. There is a need, when considering additional recreational development at Crowley Lake, to designate restricted boating areas to protect critical water bird nesting and rearing habitat. Within the communities, particularly Crowley Lake/Hilton Creek, there is a desire to develop additional neighborhood parks and a trail system connecting the parks and the communities.

RESOURCE PRESERVATION:

Goals and Policies: The Long Valley includes important wildlife habitat, i.e., mule deer migration corridors.

Consistency between the Crowley Lake Estates Specific Plan and relevant goals and policies of the Mono County General Plan is evaluated in Table 7 below. Also included (as "N/N Recommendations") are Community Vision, Goals and Policies as reviewed in the Community Issues report prepared for the County by Nelson Nygaard.¹¹ The community issues report summarizes public dialogue and direction resulting from facilitated planning sessions focused on job creation, community vision, transportation and land adjustment. Although not adopted into the General Plan, they provide insight into community attitudes related to future development in Crowley Lake.

Table 2 SUMMARY OF CONFORMANCE WITH THE GENERAL PLAN

GOAL: Maintain the rural residential character of the Long Valley communities in a manner that provides for commercial uses to serve community needs, and that protects the area's visual, recreational and natural resources.

Objective A: Ensure adequate public services and infrastructure for the area.

Policy 1: Future development should coincide with infrastructure and service capability and expansion. **N/N Recommendation:** The availability of water and sewage capacity should be used as a tool to encourage, discourage and guide new development.

***ACTION 1.1:** Require development projects to obtain "will-serve" letters from applicable service agencies.*

***ACTION 1.2:** Evaluate the cumulative impact of all new development on public services, public facilities and the environment.*

***ACTION 1.3:** For areas not served by a water system, future development projects shall be required to demonstrate, prior to permit issuance, that sufficient water exists to serve both domestic and fire flow needs of the development and that use*

¹¹ Source: Mono County Collaborative Planning Team, Community Issues Final Report, October 2000. Prepared by Nelson/Nygaard.

of that water will not deplete or degrade water supplies on adjacent properties, or adversely impact water supplies for natural resources.

Policy 2: Encourage the timely expansion of special district facilities, including provisions for a satellite fire station in the Sunny Slopes area, water treatment facilities, television service, etc.

Action 2.1: Study the feasibility and desirability of consolidating service provision in the Long Valley area, as suggested in the Sphere of Influence Reports prepared for Mono LAFCO for the Bircham Community Service District and the Hilton Creek Community Service District.

Action 2.2: Study the feasibility and desirability of developing a community water system for the Crowley Lake/Hilton Creek area.

Objective B: Maintain the quality and livability of community areas.

Policy 1: Preserve and enhance existing single-family residential uses.

Action 1.1: Future residential development in community areas shall have a minimum lot size of 15,000 sf except for areas adjacent to existing development with lot sizes of 7,500-10,000 sf, where the minimum lot size may be 10,000.

N/N Recommendation: *Action 1.3: County Planning and Public Works should develop a program to dispose of surplus right-of-way along Crowley Lake Drive to allow for landscaping, dust abatement, berms and/or other amenities. Land could be leased at \$1/year or sold outright to adjacent property owners. Appropriate area for snow storage should be maintained, possibly through easements.*

Policy 2: Future development projects shall avoid potential significant environmental impacts or mitigate impacts to a level of non-significance, unless a statement of overriding considerations is made through the EIR process.

Action 2.1: Future development projects shall avoid potential significant environmental impacts or mitigate impacts to a level of non-significance unless a statement of overriding considerations is made through the EIR process.

Action 2.2: Study the feasibility and desirability of establishing a Design Review District and associated design review standards in the planning area. N/N Recommendation: Action 2.3: Ensure that future developments provide public access to surrounding areas and along riparian corridors through the provision of easements of dedicated corridors.

Policy 3: Prevent incompatible adjacent land uses.

Action 3.1: Require adequate buffering (i.e., landscaping, physical barriers) to protect residential areas from non-residential, incompatible land uses.

Action 3.2: Provide adequate private open space in all residential areas and developments.

Action 3.3: Require higher density residential development to be compatible with the surrounding area and to provide sufficient open space.

Action 3.4: Encourage the development of higher density development within walking distance of the commercial area in Crowley Lake/Hilton Creek.

N/N Recommendation: Policy 4: Improve Crowley Lake Drive and South Landing Drive to be more compatible with bicycle and pedestrian use.

N/N Recommendation: *Action 4.1: County Planning and Public Works should develop a traffic calming plan for Crowley Lake Drive to slow traffic speeds to be*

more compatible with bicycle traffic and pedestrian crossings. N/N Recommendation: Action 4.3: County Planning should work with the Town of Mammoth Lakes to develop a regional multi-use trail network.

N/N Recommendation: Action 4.4: County Planning should work with the Bureau of Land Management and the LADWP to develop a pedestrian connection along South Landing Drive to Crowley Lake.

Objective C: Provide for commercial development that supplies the area with convenient and necessary goods and services.

Policy 1: Provide adequate land for existing and future commercial needs.

Action 1.1: Designate a sufficient amount of land to accommodate tourist and community commercial needs.

Action 1.2: Cluster commercial development in order to create a commercial core area ("village center") in Crowley Lake/Hilton Creek.

Action 1.3: Mixed uses (commercial and residential) may be allowed, provided those uses do not adversely affect the basic rural residential character of the area.

Action 1.4: Adopt the following land use designation for use in the mixed-use areas in the Long Valley communities:

Mixed Use (MU) This designation provides for a wide range of resident and visitor oriented residential and commercial uses, including business, professional and retail uses. The designation also allows for the construction of mixed-use buildings. All commercial development in the Long Valley communities, including that in the Mixed Use designation, shall comply with the commercial development Performance standards contained in the Long Valley Area Plan.

Permitted Uses: Examples of permitted uses include recreational uses, commercial lodging, professional services, business services, small-scale community oriented retail operations, food services and residential uses.

Building Intensity: Minimum lot size is 10,000 square feet except for hotels, motels, condominiums, townhouses, and similar uses the minimum lot size is 20,000 square feet. Maximum building intensity is 15 dwelling units per acre for multiple-family residential units including apartments and condominiums. Motels may not exceed a maximum density of 40 units per acre.

N/N Recommendation: Action 1.5: County Planning should explore a specific plan overlay for the Crowley Lake/Hilton Creek area in order to create a "village center."

N/N Recommendation: Action 1.6: County Planning should explore a Transfer of Development Rights ordinance to allow property owners to transfer development rights to "village center" area from areas where lower densities are desired.

Policy 2: Promote improvements in community commercial reserve and enhance existing single-family residential uses.

Action 2.1: All commercial development shall comply with the following commercial development performance standards:

a) All commercial development shall comply with Objective B, Policy 2 and Action 2.1 of this Plan, which require avoidance or mitigation of any potential significant environmental impacts, unless a statement of overriding considerations is made.

b) The project must comply with the design review standards established in accordance with Objective B, Policy 2, Action 2.2 (i.e., Design Review District

and associated design review standards). Exterior signs and lighting shall be considered in the design review standards.

c) The project shall not exceed a sustained or intermittent noise level of 60 dBA.

d) The project shall supply adequate access, parking and loading areas.

e) Exterior signs shall comply with the Mono County Sign Regulations.

f) Uses involving or producing noxious fumes or odors shall not be permitted unless fumes or odors are treated or diffused prior to release from the generating source.

g) Operations using & storing noxious chemicals including but not limited to pesticides and herbicides, other than those packaged for resale, or large volumes of solvents or flammable liquids, will not be allowed.

Policy 3: Encourage the development of professional uses in the Crowley Lake/Hilton Creek commercial core, to provide for the needs of residents.

Policy 4: Allow the continuation of home occupations (as defined in the County Land Development Regulations) which are not in conflict with surrounding uses.

Objective D: Provide for light industrial uses which supply the community with convenient and necessary services.

Objective E: Provide for recreational and open space uses in and around the Long Valley planning area.

Objective F: Promote complementary and compatible uses of adjoining BLM, USFS and LADWP lands.

N/N Recommendation: Objective G: Ensure the long-term health of the surrounding natural environment.

N/N Recommendation: Policy 1: Protect water resources including streams, ponds and wetlands.

Objective H: Maintain and enhance the local economy.

Policy 2: Assess the economic costs and benefits of proposed development projects. needs.

Action 2.1: Future development projects with the potential to have significant local socioeconomic impacts shall provide a fiscal impacts analysis. The analysis shall:

- a) *be funded by the applicant;*
- b) *be prepared by a qualified person under the direction of Mono County;*
- c) *include a market analysis documenting:*
 - *the demand for such a project over a reasonable timeframe;*
 - *the projected direct and indirect revenues generated by the project within the general vicinity, over a reasonable timeframe;*
 - *the projected direct and indirect costs associated with the service demands generated by the project, its employees, and operations during the anticipated project lifetime;*
 - *the projected short-term and long-term economic costs and benefits resulting from the project over its life span; and*
 - *phasing from initial construction to a point following termination of use or closure, if applicable;*

- d) analyze applicable significant socioeconomic implications of the project, such as employee housing, jobs generation, impacts on crime rates, impacts on schools, hospitals and other community facilities and services, effects of termination or closure of the project (where applicable) and changes in the quality of life resulting from the proposed project; and
- e) recommend project alternatives or measures to avoid or mitigate economic impacts.

Mitigation measures shall be included in the project plans and specifications and shall be made a condition of approval for the project. Projects having significant socioeconomic impacts may be approved only if a statement of overriding considerations is made through the EIR process.

Action 2.2: In determining the significance of the environmental impacts of a development proposal, consider the relationship of the potential economic and social changes to the potential environmental changes resulting from the project.

Policy 3: Ensure that future development does not significantly impact governmental service providers.

Action 3.1: Impose permit conditions and mitigation measures that offset the impacts of development on governmental services and infrastructure (i.e., county services and other local service providers). Such conditions and mitigation measures shall also address impacts to county services and other local service providers from future development which occurs in the incorporated area. Affected county services include, but are not limited to, the following: Social Services; Health Services including Mental Health Services; Libraries; Justice System, including Courts, District Attorney and Public Defender, Sheriff, and Probation Depts; Regional Parks and Recreation; General Administration and Finance. In accordance with state law (Government Code §53077), these exactions will not exceed the benefits derived from the project.

I REVIEW PROCESS

1. APPROVAL

Approval of this Specific Plan and all subsequent amendments hereto shall be in accordance with Mono County procedures as set forth in the General Plan.

2. CEQA COMPLIANCE

As required by CEQA, this EIR and Specific Plan have been prepared to examine the impacts of the proposed Crowley Lake Estates project. The EIR contains a series of mitigation measures required to mitigate impacts associated with implementation of this Specific Plan. The County would be responsible for monitoring and enforcement of the Mitigation Program to assure that all measures are implemented in a timely and effective manner, and would also be responsible for enforcement of the regulations contained in this Specific Plan.

J SPECIFIC PLAN CONCEPT

1. INTRODUCTION AND PURPOSE

The development standards and procedures established herein are intended to satisfy the requirements of the Mono County General Plan. Upon adoption of the Crowley Lake Estates Specific Plan, the development standards and procedures established herein would become the governing regulations for the land uses proposed and developed on this site. The purpose of these standards is to (1) provide for the classification of land uses on the site, (2) define standards for the development of those uses, (3) establish procedures for orderly site development through build-out, (4) protect the public health, safety and welfare of those who live, work and do business in Crowley Lake Estates, (5) provide for the progress, well-being, and convenience of the County as a whole, and (6) establish and maintain a level of quality in site development. This Specific Plan is regulatory by design. The policy underpinnings of this Specific Plan are those identified in the County of Mono General Plan, as discussed throughout this text.

K GENERAL REGULATIONS

1. DEFINITION OF TERMS

Terms used in this Specific Plan shall have the same definition as given in the Mono County General Plan, unless specified otherwise herein.

2. CODE CONSISTENCY:

a. The development standards herein shall regulate all development in the Crowley Lake Estates. In case of a conflict between this Specific Plan and the Mono County General Plan, this Specific Plan shall prevail. In cases where this Specific Plan is silent on an issue of relevance to the project, the Mono County General Plan shall prevail.

b. Any details or issues not covered by the development guidelines or regulations of this Specific Plan shall be subject to the regulations or standards set forth in applicable sections of the Mono County General Plan, Grading Ordinances, and other adopted ordinances of the County.

c. Construction shall comply with all applicable provisions of the California Building Standards Code and the mechanical, electrical, plumbing and other codes related thereto as administered by Mono County and other agencies with jurisdiction over the project.

d. Grading plans submitted for Crowley Lake Estates shall be based on the County Grading Code and shall be accompanied by all geological and soils reports required by the Grading Code.

3. SEVERABILITY

If any portion of these regulations is declared by judicial review to be invalid in whole or in part, such decision shall not affect the validity of the remaining portions.

4. ALTERNATIVE DEVELOPMENT STANDARDS

No alternative development standards shall be permitted unless such standards are established through an amendment to this Specific Plan.

5. DEVELOPMENT FLEXIBILITY

The following shall guide development flexibility within Crowley Lake Estates.

- a. All of the lots on the Crowley Lake Estates Tentative Tract Map may be platted as much as ten percent (10%) above or below the acreage or square footage shown. Such variances would be subject to review and approval by the Director of Planning, but no amendment to this Specific Plan shall be required for lot size variances that meet these guidelines.
- b. Only general boundary alignments and approximate acreage figures are on the plans submitted herein. Adjustments to land use boundaries resulting from final road alignments, the siting of infrastructure facilities, and/or technical refinements to the Specific Plan would not require an amendment to this Specific Plan.

L LAND USE CONCEPT

The objective of the proposed Crowley Lake Estates Specific Plan is to create a mix of single-family housing, multifamily housing, commercial development, and ancillary uses on the project site in a manner that can be provided with adequate access and public facilities consistent with the County's General Plan Land Use Element and Long Valley Area Plan. The project objectives have been defined broadly to reflect the County's planning goals for the community of Lake Crowley.

The Land Use Plan for Crowley Lake Estates encompasses 9.16 acres of land designated for a variety of uses. The Specific Plan provisions contained herein are based in large part on the provisions contained in the MU (Mixed Use) designation of the Mono County General Plan. Exhibit 6a depicts the land uses proposed within the Crowley Lake Estates Specific Plan. Infrastructure plans are shown in Exhibits 6b and 6c, which depict the conceptual layout of water and sewer facilities as well as the conceptual layout of grading and drainage improvements. SCE easements overlay the property; these easements have been integrated into the underlying parcel boundaries.

M DEVELOPMENT STANDARDS

1. USES PERMITTED

The following uses are permitted within the Crowley Lake Estates subject to approval of a Building Permit.

- a. Single-family dwellings
- b. Multifamily dwellings (but not including mobile homes)
- c. Home occupations, subject to the Regulations of §5 below.
- d. Animals and pets, subject to the Regulations of §6 below.
- e. Educational and day-care facilities limited to child-care and nursery schools.
- f. Secondary "granny" units shall be permitted on the single-family lots.
- g. Accessory buildings and uses, provided that such uses are customarily incidental to any of the permitted uses when located on the same lot and constructed simultaneously with or subsequent to the main building. All other accessory uses shall be subject to director review.

2. USES PERMITTED SUBJECT TO DIRECTOR REVIEW

The following uses shall be permitted subject to review by the Mono County Planning Director.

- a. Conversion or expansion of existing uses.
- b. Small-scale plazas, parks and pedestrian open space.
- c. Social care facilities including but not limited to medical and dental offices, welfare and charitable services and similar uses.
- d. Recreational activities, including but not limited to health clubs, dance studios, and similar uses.
- e. Animals and pets that do not conform to the regulations of §6 below.
- f. Bed and breakfast facilities.
- g. Employee housing and/or housing located on the second floor of commercial establishments.
- h. Any tenant proposed within a commercial structure on the site shall be subject to director review. It is anticipated that commercial uses may cover a range of services including but not limited to retail trade (groceries, drug, hardware, apparel, arts and crafts, sporting goods, bookstores, florists and similar uses), professional offices (including but not limited to legal services, real estate, financial, insurance, rental and reservation services, and similar uses), business services (including but not limited to stenographic and mailing services, general advertising, storage facilities, business and management consulting, and similar uses), and food service establishments principally oriented to daytime (including but not limited to delicatessens, bakeries, candies, cafes, coffee houses, and similar uses).
- i. Any combination of permitted uses, subject to the standards contained in this Specific Plan.

3. USES PERMITTED SUBJECT TO A USE PERMIT

The following uses shall be permitted subject to approval of a Conditional Use Permit.

- a. All of the above uses subject to director review, if determined to be necessary by the Planning Director.
- b. Parking lots and parking structures other than required off-street parking, when abutting a commercial district.
- c. Bed and breakfast facilities and commercial lodging developments having no more than 45 units.
- d. Transient rentals (i.e., for less than 30-days) of residential units, provided that no such rentals shall be permitted for 4 or more dwelling units.
- e. Transportation and communications facilities, including but not limited to parking lots, transmitters, bus turnouts and related facilities.
- f. Conversion or expansion of existing operations.
- g. Cultural facilities including but not limited to museums and art galleries.
- h. Public and institutional facilities, including but not limited to Post Offices, out-care medical clinics, and public water well facilities, provided that such facilities are part of a collective or mutual water system.
- i. Any structure proposed to house commercial uses shall be subject to a Conditional Use Permit; the tenants proposed within the commercial structure(s) shall be subject to Director Review, as indicated in Item 2(h) above.
- j. Food service and drinking establishments operating after 6 p.m., including dining restaurants, fast food restaurants, bars, nightclubs, sports clubs, and similar uses.
- k. Any other use that is found by the Planning Commission to be compatible with the purpose and objectives of this Specific Plan.

4. SITE DEVELOPMENT STANDARDS

The following site development standards shall apply:

- a. Building Lot Area and Site Coverage: Minimum lot area is 10,000 square feet, except that the minimum shall be 20,000 square feet for multifamily residential uses. Maximum building

- intensity is 15 dwelling units per acre for multifamily residential uses. The maximum site area is the net usable area as indicated in the Land Use Concept.
- A maximum of forty percent (40%) for single-family lots;
 - A maximum of sixty percent (60%) for the multifamily lot
 - A maximum of seventy percent (70%) for the commercial lot, excluding restricted wetlands.
- b. Building Lot Width and Depth: No minimum, and no maximum. However, no lot may be subdivided without an amendment to this Specific Plan.
- c. Building Height Limit: No minimum. The maximum height limit for all structures within Crowley Lake Estates shall be thirty-five feet (35'), inclusive of all utilities and ornamentation. Height shall be calculated from the existing grade.
- d. Public Utility Poles: Existing utility poles shall be permitted in Crowley Lake Estates. All new utilities shall be emplaced underground.
- e. Building and Parking Setbacks:
- i. All single-family structures and required parking shall be sited within designated building envelopes.
 - ii. All multifamily structures shall be set back a minimum of ten feet (10') from the interior street right-of-way.
 - iii. All multifamily structures shall be set back a minimum of thirty feet (30') from the external property boundaries.
 - iv. All parking for the multifamily units shall be set back a minimum of thirty feet (30') from the external property boundaries.
 - v. The educational/day care center shall be set back a minimum of ten feet (10') from the interior road right-of-way, and shall be set back a minimum of thirty feet (30') from the external properties boundaries.
 - vi. All parking for the educational/day care center shall be set back a minimum of thirty feet (30') from the external properties boundaries.
 - vii. There shall be no minimum set back from the South Landing Road right-of-way for the commercial structure(s); if necessary, the set back may be up to a maximum of ten feet (10').
- f. Trash Storage Areas: All trash storage containers shall be shielded from view of adjacent lots and interior streets by solid fencing not less than five feet (5') in height and no more than eight feet (8') in height, and shall be shielded from all off-site views from Highway 395. Trash storage areas shall be designed and maintained to facilitate County compliance with waste load reduction programs.
- g. Commercial Loading Standards: Loading shall be performed within the approved lot; and no on-street loading shall be permitted. In all cases, loading platforms and areas shall not be visible from any abutting lot, street or highway.
- h. Mechanical and Electrical Equipment: Exterior components of plumbing, processing, heating, cooling and ventilation systems, and transformers shall not be visible from any abutting lot, street or highway.
- i. Antennas: Dishes, transmitters and antennas shall all be placed within the height limits described above, and shall be wholly screened from view by architecturally compatible landscaped berms, plantings, walls, solid fencing, or a combination of these materials.
- j. Grading Bond: No grading shall be undertaken prior to the posting of a performance bond in compliance with the Mono County Grading Ordinance.
- k. Toxic Materials Not Permitted: No toxic materials handling shall be permitted within Crowley Lake Estates, except for small quantities of domestic products that are available in retail outlets. Such permitted uses shall comply with all relevant laws and regulations governing use, storage and disposal.
- l. Heating Systems: All residents, tenants and owners shall be prohibited through deeds of sale and/or lease agreements from installing wood-burning appliances that do not comply with current standards for control of particulate emissions.
- m. Structural Fire Protection: All structures in Crowley Lake Estates shall comply with current requirements of the Long Valley Fire Protection District for structural fire protection.

- n. Other Outdoor Storage Areas: For all nonresidential land uses, outdoor storage items placed within 50-feet (50') of the property line(s) contiguous to the interior street shall be screened by solid fencing on the street side(s) of the storage area and at side property lines for the length of the storage area. Outdoor storage items that are placed beyond this fifty-foot (50') visual zone do not require solid fencing on the street side. However, solid fencing may be required at the side and rear property lines, subject to review by the Planning Director.
- o. Solid fencing shall be a minimum of 5 feet (5') high and may need to be up to eight feet (8') high, subject to review by the Planning Director.
- p. Storage is anything placed outdoors and outside of a non-residential building that is not a private vehicle for employee or customer transportation; cars, trucks, and vehicles that stay onsite after hours, machinery, tools, items for rent, materials and items for sale are examples of storage items.
- q. No storage shall be permitted in the common areas or in either of the designated undisturbed wetlands areas.

5. HOME OCCUPATION STANDARDS AND REGULATIONS

Home occupations are permitted in Crowley Lake Estates residential area, subject to obtaining a business license and compliance with the home occupation standards outlined below. Any home occupation within Crowley Lake Estates must be clearly incidental and secondary to the residential use of the parcel, and must be carried on within onsite structures by inhabitants of the parcel. In order to maintain the home occupation and business license, the licensee must comply with the following requirements at all times:

- a. The business shall be confined completely within the dwelling and occupy not more than twenty-five percent of the gross floor area of one floor thereof;
- b. The business shall involve no sales of merchandise other than that produced on the premises or merchandise directly related to and incidental to the occupation;
- c. The business shall be carried on by members of the family occupying the dwelling, with no other persons employed or working on the site;
- d. The business shall produce no evidence of its existence in the external appearance of the dwelling or premises, or in the creating of noise, odors, hazardous materials, smoke or other nuisances to a greater degree than that normal for the neighborhood;
- e. The business shall not generate pedestrian or vehicular traffic beyond what is normal in the neighborhood in which it is located;
- f. The business shall not consume water supplies beyond what is normal in the neighborhood;
- g. The business shall not result in the use of onsite or offsite parking beyond what is normal in the neighborhood.
- h. The business shall not involve any activities, products or services that are incompatible with the rural, residential, family-oriented nature of the Hilton Creek/Crowley Lake community.
- i. The business shall require no structural, electrical or plumbing alterations in the dwelling;
- j. The business shall involve no equipment other than that customarily used in dwellings;
- k. The business shall involve no outdoor storage, special lighting, signage or advertising.

6. STANDARDS FOR PET ANIMALS

The following standards shall govern all pet animals within Crowley Lake Estates.

- a. Dogs shall be kept on leash at all times when not inside the walls of the primary use area.
- b. Horses, llamas and similar larger animals shall not be permitted within Crowley Lake Estates.
- c. Residential dwelling units of all kinds shall be permitted any combination of cats and dogs, up to a maximum of four animals per dwelling unit, unless prohibited by rental agreement.
- d. Domestic birds shall be enclosed at least 15 feet from any adjacent dwelling.
- e. Domestic rabbits or other domestic rodents or domestic lizards of similar or lesser size at maturity shall be kept in pens.
- f. No chickens, roosters, ducks, geese, turkeys or similar fowl, or non-domestic species of any animal, shall be permitted on the Crowley Lake Estates site.

7. LANDSCAPING, SCREENING AND OPEN SPACE STANDARDS

Landscaping is intended to maintain a sense of continuity with the surrounding lands and to minimize the visual intrusion of Crowley Lake Estates into the adjoining properties. The following standards shall apply:

- a. Plant Materials: All landscaping within a common landscaped area of the Crowley Lake Estates shall consist of native plant materials as outlined in the plant palette below. Landscaping within the single-family residential parcels and the commercial parcels shall be as determined by the owners thereof, and is encouraged to utilize this palette. This palette contains only plants that are native to the Mono County region, are well adapted to the area and have value to native wildlife. Seed and plant materials shall be obtained locally to assure genetic adaptation to the local area.

<input type="checkbox"/>	Aspen Tree	<i>Populus Tremuloides</i>
<input type="checkbox"/>	Arroyo willow	<i>Salix lasiolepis</i>
<input type="checkbox"/>	Big sagebrush	<i>Artemisia tridentata</i>
<input type="checkbox"/>	Bitterbrush	<i>Purshia tridentate var. not glandulosa</i>
<input type="checkbox"/>	Desert peach	<i>Prunus andersonii</i>
<input type="checkbox"/>	Desert snowberry	<i>Symphoricarpos longiflorus</i>
<input type="checkbox"/>	Jeffrey pine	<i>Pinus jeffreyi</i>
<input type="checkbox"/>	Lupine	<i>Lupinus argentus</i>
<input type="checkbox"/>	Narrow leaf willow	<i>Salix exigua</i>
<input type="checkbox"/>	Rabbitbrush	<i>Chrysothamnus spp.</i>
<input type="checkbox"/>	Single-leaf pinyon pine	<i>Pinus monophylla</i>

- b. Landscape Irrigation: A temporary irrigation system shall be provided for irrigation of the common landscape areas. The temporary system shall remain in place until the County finds that supplemental irrigation is no longer required to maintain plant viability, and shall then be removed.
- c. Landscape Maintenance: All landscaping shall be maintained in a neat, clean, and healthy condition. This shall include proper pruning, mowing, weeding, litter removal, fertilizing, replacement, and irrigation as needed.
- d. Landscape Plan: A detailed landscape planting schedule shall be prepared prior to issuance of a grading permit that incorporates the approved plant materials, identifies planting mix to be used, and describes the duration and components of the initial irrigation and fertilization program until plants are established.
- e. Interior Street Screening: Where proposed, walls and fences along streets and boundaries shall have a maximum height of six feet (6'). No fencing shall be allowed in the common landscape areas.
- f. Screening of Parking Areas: For parking areas outside of private residences, no additional screening shall be required. However, no parking shall be allowed in a common landscape area.
- g. Screening of Propane Tanks: All propane tanks on site shall be screened from offsite view using any of the solid screening materials permitted below.
- h. Screening Materials: All screening shall consist of one or a combination of the following:
- Walls shall consist of textured and colored concrete, rock and stone, brick, tile or similar solid masonry material a minimum of four-inches (4") thick.
 - Fencing shall be constructed of wood that harmonizes with building exteriors and has minimal visual impact. Barbed wire and chain link fencing shall not be permitted in any location on Crowley Lake Estates.
 - Solid fencing shall utilize gray or tan split face block.

8. DESIGN GUIDELINES

These design guidelines are intended to assure quality architecture that reflects a non-intrusive and pleasing style, quality materials, and professional workmanship. A key objective is to minimize the visual presence of the development from all off-site locations.

9. BUILDING MATERIALS AND COLORS

No polished or mirror-reflective finishes or paints shall be permitted in Crowley Lake Estates. All exterior building materials and colors in Crowley Lake Estates are intended to coordinate with colors found in the surrounding landscape.

- a. Exterior Roofing Materials and Colors: All exterior roofing materials shall consist of the following materials and colors. It is anticipated that the application would typically be sloped.
 - i. Composition Roofing Shingle – Elk, Celotex or Equal, Presidential Series
 - Celeris Weatheredwood
 - Autumn Blend, Chaparral Cedar
 - ii. Metal Flashings
 - Brown or Tan Colors Only
 - No Galvanized metal shall be permitted
 - iii. Other: Paint or finish to coordinate with colors above.
- b. Exterior Wall Materials and Colors: All exterior walls shall consist of the following materials and primary field colors.
 - i. Split-Face Block (in commercial parcel only)
 - Tan (Basalite, Dixon – D345 or equal)
 - ii. Rock
 - Any natural rock, shaped or irregular
 - iii. Wood Siding
 - Any type with brown tone, semi-transparent or solid body stains
- c. Exterior Trim and Accents: Exterior trim and accent features shall be permitted on limited areas of each building (not to exceed 30% of total exterior area) and shall consist of the following materials and colors:
 - i. Split-Face Block (in commercial parcel only)
 - Tan (basalite, Dixon – D345 or equal)
 - ii. Rock
 - Any natural rock
 - iii. Wood
 - Natural logs, any finish
 - Milled wood, clear or solid finish and choice of color
 - iv. Stucco – texture and color compatible with natural surrounding and project color
 - v. Awnings (in commercial parcel only)
 - Any color, except that the awning may not have less than 8 feet of clearance from the bottom of the awning to the ground or sidewalk.
- d. Solid Fencing: Solid fencing, for screening, security and retaining walls as applicable, shall be limited to the following materials and colors:
 - i. Split-Face Block
 - Tan (Basalite, Dixon – D345, or equal)
- e. Security Fencing: Open fencing, for security fencing only, shall be as described above for solid fencing. No chain link fencing or barbed wire fencing shall be permitted.
- f. Other Provisions:
 - i. The Mono County Community Development Director may approve materials and colors not listed herein, provided such materials and colors are consistent with the design guidelines above.

- ii. Exterior building materials that are prohibited in Crowley Lake Estates include, glass (other than for windows), wood shingles, vinyl siding, imitation wood siding, and anything not specifically stated as being included.

10. SIGN STANDARDS

Unless specified otherwise, definitions for all signs discussed herein shall be as stated in the Mono County General Plan.

a. Permitted Signs

- i. Awning or canopy signs shall be permitted only on structures in the commercial and educational/day care center parcel:
 - The awning may not have less than 8 feet of clearance from the bottom of the awning to the ground or sidewalk.
 - Signs hanging from or attached to a canopy are not permitted.
 - When an awning is the main signage for a business, the flap should be a minimum of 12 inches wide with 8" letters so that the sign can be easily read from across the street.
- ii. Political Signs:
 - The maximum sign area shall be 8 square feet.
 - Political signs shall not be erected within 50 feet of any street, intersection, or at any location where the sign may interfere with, obstruct the view of, or be confused with, any authorized traffic sign.
 - Political signs shall not be nailed or affixed to any tree, or public utility pole, and shall not be located in the public right-of-way, parkway or publicly owned land.
 - Political signs that have adhesive backing shall not be affixed directly to any structure, but shall first be affixed to a temporary backing of wood, paper or plastic for support that can be easily removed from its posted location.
- iii. Real Estate Signs:
 - A maximum of 1 sign per parcel is permitted, and shall be removed within fifteen days after the close of escrow or close of the rental/lease agreement. The sign must be located entirely within the subject property and shall not be lit. Maximum sign area shall be 4 square feet; maximum height shall be 4 feet, and minimum setback from any road shall be 5 feet.
- iv. Hanging Signs shall be permitted on commercial structures only:
 - A hanging sign may not extend more than 3 feet from any building or wall face, and may not be lit. It shall not exceed 6 square feet with a minimum clearance of 8 feet from the bottom of the sign to the ground or sidewalk. No bonus square footage may be granted.
- v. Residential Identification Signs:
 - Private individual residence identification signs, limited to the names of the occupants and a total of 2 square feet in size.
 - Each Multifamily Building shall provide an identification sign. The sign shall be limited to 1 permanent identification sign per building, with a minimum area of 15 square feet and a maximum area of 20 square feet, attached to an exterior wall fronting onto the interior road.
- vi. Safety or Required Signs:
 - Signs required for public safety or convenience shall be permitted in conjunction with permitted business and residential signs, and shall not be counted against allowable identification sign area.
 - Shall not exceed 3 square feet in each sign area.
 - Shall not contain the name of the business or owner.
 - Required signs shall include those mandated by a federal, state or local agency.
- vii. Special Events and Holiday Signs:
 - Banners, signs or decorative materials shall not be erected more than 30 days preceding the event or holiday, and shall be removed within 10 days after its conclusion.

- xv. Any other signs or components not specifically included in the above descriptions of building identification signs or temporary signs.

11. LIGHTING STANDARDS

Lighting standards within Crowley Lake Estates shall be as described below.

- a. Exterior lighting in Crowley Lake Estates shall be the minimum required for public safety.
- b. The source of lighting must be concealed on all exterior lighting.
- c. All lighting, interior and exterior, must be designed to confine light rays to the premises of Crowley Lake Estates. In no event shall a lighting device be placed or directed so as to permit light to fall upon a public street, highway, sidewalk, or adjacent lot or land area.
- d. All signs and lighting shall emit a light of constant intensity.
- e. All exterior lighting fixtures shall be of uniform design and materials, and painted a non-reflective color that conforms to the Design Guidelines herein and blends with the surrounding environment.
- f. All exterior lighting shall feature low-intensity lighting.
- g. Sign lighting shall be as indicated under Sign Standards, Section 11 above.

12. STREET AND PARKING STANDARDS

Street and parking standards within Crowley Lake Estates shall be as described below.

- a. Public Streets
 - i. Public streets (including South Landing Road) shall be improved to the appropriate County road standards prior to recordation of a Subdivision Map.
 - ii. Appropriate dedications for RW, Drainage, Snow Storage, Wetlands/Open Space, etc., shall be required in conjunction with the various project phases.
 - iii. Private roads shall meet or exceed minimum Fire Safe Standards and shall provide for an appropriate maintenance entity prior to the recordation of a Subdivision Map."
- b. Primary Interior Street
 - i. The interior street serving Crowley Lake Estates shall have an overall right-of-way of thirty-feet (30').
 - ii. Two travel lanes shall be provided, with one lane for each travel direction. Each of the two lanes shall have a minimum width of eleven feet (11').
 - iii. Interior road slopes shall not exceed a grade of five percent (5%).
- c. Parking Standards
 - i. Off-street parking stalls for all uses shall be sized in accordance with the Mono County General Plan requirements.
 - ii. Off-street parking for the multifamily uses shall be provided at a ratio of no less 1.5 stalls per unit.
 - iii. Off-street parking for the commercial uses shall be provided in accordance with County requirements, or as approved by the Planning Director.
 - iv. A minimum of two (2) off-street parking spaces shall be provided for each single-family lot.
 - v. All parking areas shall be designed to provide for snow storage, and sited to allow for snow removal.

N MAINTENANCE AND OPERATION

A maintenance entity shall be formed prior to final map approval to maintain the interior street right-of-way, including snow removal and short-term and long-term roadway maintenance and drainage facilities.

O ENFORCEMENT AND CONTINUED AFFORDABILITY

Enforcement of these Specific Plan provisions shall be the responsibility of the County of Mono. There shall be nothing in these regulations to prohibit continued use of multifamily units as affordable housing after the initial 18-year LIHTC program expires.

P PROCESSING PROCEDURES

1. AMENDMENT

The County or the owner or owners of any single lot or lots within the Crowley Lake Estates may initiate an amendment to this Specific Plan. Any amendment to the Specific Plan shall be in accordance with California Government Code §§65500-65507, and Mono County Code §19.46.

- a. Any proposed amendment to this Specific Plan must comply with requirements of CEQA as appropriate.
- b. An amendment to this Specific Plan may be initiated by the Board of Supervisors of Mono County.
- c. Modifications to the subdivision plan after approval of a Tentative Tract Map shall be in accordance with the California Subdivision Map Act and Mono County procedures for implementation of the Map Act.

2. MINOR MODIFICATIONS

- a. Minor modifications to the subdivision plan, such as lot line adjustments and divisions, shall not require an amendment to this Specific Plan provided the Mono County Planning Director finds that the modification is consistent with the general nature and intent of this Plan.

Q FINANCING

All development costs associated with implementation of the Crowley Lake Estates Specific Plan will be privately financed; no public funds will be used. A Fiscal Impact Analysis has been prepared for the project and submitted under separate cover for review by the County.¹²

¹² Note: The present proposal includes development of affordable housing units under the Low-Income Housing Tax Credit Program (LIHTC), part of the Tax Reform Act of 1986. The LIHTC Program provides tax credits to owners and investors in qualified low-income housing acquired, constructed or rehabilitated since 1986. The Federal government allocates credits to individual states based on population. In turn, the states review proposals from developers, and allocate the credits to proposals that best meet the state-set goals and objectives. In exchange for these credits, the developer must agree to rent the units to households with limited incomes at agreed-upon maximum rents. The compliance period for tax credits lasts a minimum of 15 years, but may be required to extend over longer periods; the current project would continue for 18 years. The LIHTC Program is aimed at households earning up to 60% of median income. In order to receive the tax credits, the property owner and manager must follow certain leasing rules and guidelines. Failure to follow the regulations (such as renting to an over-income applicant or charging rent above the allowed maximum) can result in the loss or recapture of credits. Source: HAPI Management Tax Credit Compliance Manual, provided by Crowley Lake Housing Company, LLC (the applicant).