

MONO COUNTY PLANNING COMMISSION

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commdev@mono.ca.gov

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Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

SPECIAL MEETING AGENDA

THURSDAY, DECEMBER 10, 2015 – 10 a.m.

Town/County Conference Room, Minaret Village Mall, Mammoth Lakes

***Videoconference:** Supervisors Chambers, County Courthouse, Bridgeport

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

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

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

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

3. MEETING MINUTES: Review and adopt minutes of November 12, 2015 – *p. 1*

4. PUBLIC HEARING

10:10 A.M.

A. CONDITIONAL USE PERMIT 15-004/Crowley Lake Skate Park. The proposed project is to allow construction of an up to 10,000-square foot skate park on the east side of the Crowley Lake Community Center parcel at the corner of South Landing Road and Pearson Road, at 58 Pearson Rd. (APN 060-210-020) in the community of Crowley Lake. The parcel is 2.1 acres, County-owned, and has a land use designation of Public Facility. In addition, CUP 15-004 will memorialize existing and proposed uses such as the community center, community garden and possible future library location. In accordance with the California Environmental Quality Act, an addendum to the adopted Negative Declaration for Use Permit 37-97-01 is being utilized. *Staff: Associate Planner Courtney Weiche – p. 6*

B. ONE-YEAR EXTENSION OF TENTATIVE PARCEL MAP (TPM) 31-86 / Graves. One-year map extension for property located along US 395 and Burcham Flat Road, approximately a half-mile south of the community of Walker. The parcel is approximately 111 acres and has a land use designation of Rural Residential 10-acre minimum parcel size. The TPM would divide the property into four parcels. *Staff: Principal Planner Gerry Le Francois – p. 90*

5. WORKSHOP: None

6. REPORTS:

A. DIRECTOR

B. COMMISSIONERS

7. INFORMATIONAL:

A. RESIGNATION/Commissioner Rodger B. Thompson

More on back...

DISTRICT #1
COMMISSIONER
Mary Pipersky

DISTRICT #2
COMMISSIONER
Rodger B. Thompson

DISTRICT #3
COMMISSIONER
Daniel Roberts

DISTRICT #4
COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Chris Lizza

8. ADJOURN to January 14, 2016

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

In compliance with the Americans with Disabilities Act, anyone who needs special assistance to attend this meeting can contact the Commission secretary at 760-924-1804 within 48 hours prior to the meeting in order to ensure accessibility (see 42 USCS 12132, 28CFR 35.130).

*The public may participate in the meeting at the teleconference site, where attendees may address the Commission directly. Please be advised that Mono County does its best to ensure the reliability of videoconferencing, but cannot guarantee that the system always works. If an agenda item is important to you, you might consider attending the meeting in Bridgeport.

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

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DRAFT MINUTES

NOVEMBER 12, 2015

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

STAFF: Scott Burns, director; Gerry Le Francois, principal planner (video); Courtney Weiche, associate planner; Wendy Sugimura & Brent Calloway, associate analysts; Nick Criss, compliance officer (video); Stacey Simon, assistant county counsel; C.D. Ritter, commission secretary

GUEST: Supervisor Fred Stump (video)

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE: Vice-chair Chris Lizza called the meeting to order at 10:15 a.m. in the board chambers at the county courthouse in Bridgeport, and attendees recited the pledge of allegiance.

2. PUBLIC COMMENT: None

3. MEETING MINUTES:

MOTION: Adopt minutes of Oct. 8, 2015, as submitted. (*Bush/Roberts. Ayes: 4. Absent: Thompson.*)

4. PUBLIC HEARING

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

Courtney Weiche presented a PowerPoint explaining the proposed TROD, the purpose and intent of both Chapters 25 and 26, the history of the existing TROD being expanded (on the Blacks and Silver Meadow Lane properties) and the recent changes to the TROD boundaries since the original noticing was sent out in October. Two of the original six parcels have since been withdrawn (same owner for both parcels 016-099-041 & -042) and the current project proposal includes only four parcels. Weiche noted staff expanded the noticing boundaries from the required 300 ft to 1000+ ft, noticed changed from 10 days to 20 days prior, and included all USFS lessee cabins to the north within the Silver Lake Tract. A summary of comment letters and phone calls was also given.

OPEN PUBLIC COMMENT:

Patrick Gale, primary contact for the TROD application, explained purpose and desire for requesting a TROD on his property. A resident of June Lake since 1962, Gale recently moved to San Jose for career change purposes and has struggled to maintain costs and upkeep associated with his home. Gale indicated County staff encouraged him to talk to adjoining property owners and nearby neighbors about his proposal to know what sort of support or opposition may be present prior to submitting an application. Upon outreach, Gale found that four additional neighbors wanted to be included in his application (which allowed the proposal to connect and expand the existing TROD located along Silver Meadow Lane and Hwy 158 across from Double Eagle). Gale intends to eventually return to June Lake, but in the meantime rents out occasionally to supplement costs while still being able to visit monthly.

DISTRICT #1
COMMISSIONER
Mary Pipersky

DISTRICT #2
COMMISSIONER
Rodger B. Thompson

DISTRICT #3
COMMISSIONER
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Scott Bush

DISTRICT #5
COMMISSIONER
Chris Lizza

Sam Mahony (195 Washington St.) is adjacent to the proposed TROD and in favor of approving. Acknowledges that the road (Nevada Street) is in poor condition, however does not feel additional personal vehicles will have much of an impact on the roads, as it is primarily the heavy-equipment vehicles (for new home construction, etc.) and snowplows that do a majority of the damage to the roads. His neighbor uses his home once every six months or so, but lends it to family, friends, and colleagues and could be considered transient pattern by default. Has not experienced the negative impacts of that use. Believes house rentals are beneficial to the community.

Lynda Biederman has been a full-time resident of June Lake for 21 years. Bought in the Clark Tract specifically for its "residential character." Has seen the changes in character of the neighborhood with just the increase of second homeowners. Referenced 2009 CAC minutes and was concerned the CAC was misled. Referenced the June Lake Area Plan and its emphasis and need for workforce housing. Further points out three CAC members wrote letters of opposition. Questions how to revoke the existing TRODs in June Lake. Biederman also submitted a comment letter.

Igor Vorobyoff, neighboring property owner and full-time resident, submitted a letter for the commissioners and then summarized comments. He is neighbor of existing vacation home rental along Silver Meadow Lane. He explained his hesitation and reluctance for the TROD originally, but did not specifically oppose it at that time (in 2014). However, he has been pleasantly surprised by his experience with renters he has come into contact with and the transient rental operation. Agrees the roads in the upper Clark Tract are bad, however lower portion is a different environment – 16 properties in this area, four permanent. To his knowledge, there are no illegal rentals in this portion. Amongst the 16 owners, none opposed TRODs in their neighborhood. Believed there is a community benefit, and it is appropriate where proposed (along Nevada Street). He enjoys having neighbors on occasion – "no longer a ghost town." He is "OK happening in his backyard."

Ross Biederman, 21-year resident, believes this area should be for homeowners and not tourists. Wants to maintain quiet and safe neighborhoods, not a place for businesses. These are separate uses. References the General Plan maps and wants to make sure adjoining uses are consistent; i.e., village is commercial and more appropriate place for transient uses. This is competition with existing businesses, not an economic gain to community. There should be consistency with the June Lake Area Plan; additional lodging conflicts with protecting workforce housing. Some of these proposed homes in the TROD could create long-term housing opportunities for local workforce. There is a need to protect single-family residences. Biederman also submitted a comment letter.

Karl Seiberling, an additional applicant within the TROD, stated he has no intent on renting right away and currently rents his home on a long-term basis. However, finds it could be beneficial if it were necessary in the future for either himself or his children. Believes this process could encourage people to invest in their property. Stated 75% of the homes are second homeowners and are rarely occupied.

Jeff Ronci, lifelong June Lake resident and owner of the nearby Whispering Pines, stated he is on the fence about the issue, but thinks, as a lodging owner, he tended to lean toward opposition. Occupancy varies depending on the time of year, but during peak season of summer can operate around 95% full. Believes there are plenty of existing lodging options available. "If you want to run a hotel, then buy a hotel." Ronci then read Patti Heinrich's comment letter (CAC Chair) into the record. *All letters received and/or read were included in the agenda packet. **CLOSE PUBLIC COMMENT.**

DISCUSSION: Commissioner Bush suggested that "contiguous" property not be taken literally, but expanded to include bigger community. Commissioner Roberts noted the prior referenced TROD proposal was denied due to neighbor opposition, but saw adjoining neighborhood support here. Commissioner Pipersky leaned toward maintaining quiet and not providing financial support for second homeowners to maintain their property. Commissioner Lizza reminded that the original intent was for TRODs to be a tool for homeowners, not something the County was advocating for or against. Appreciated the letters and comments from the community. Although he heard no opposition from immediate neighbors, felt the applicant properties more suitable for workforce housing. Commissioner Pipersky noted the additional restrictions and regulations required under Chapter 26 and thought they may provide enough protections for adjoining neighbors.

MOTION #1: Approve Resolution R15-04, accepting Addendum 15-02 to the Mono County General Plan EIR and recommending approval of General Plan Amendment 15-002. (*Roberts/Pipersky. Ayes: Bush & Roberts. Noes: Pipersky & Lizza.*) A tied vote would not give a clear recommendation to the Board of Supervisors and nobody would win, so try another motion. Maybe the smallest TROD would be best?

MOTION #2: Approve Resolution R15-04, accepting Addendum 15-02 to the Mono County General Plan EIR and recommending approval of General Plan Amendment 15-002, as modified to reflect the recommendation that just two parcels (122 & 139 Nevada St., APNs 016-099-036 & -037) out of the four proposed be included in the TROD. (*Bush/Pipersky. Ayes: Bush. Noes: Roberts, Pipersky, Lizza.*)

In ensuing discussion, Roberts and Pipersky supported full TROD (all or nothing) and to let Board of Supervisors sort it out. Stacey Simon indicated the Commission must make a written recommendation to the Board and suggested that a new motion be made.

MOTION #3: Approve Resolution R15-04, accepting Addendum 15-02 to the Mono County General Plan EIR and recommending approval of General Plan Amendment 15-002, as modified to reflect the recommendation that two parcels (122 & 139 Nevada St., APNs 016-099-036 & -037) out of the four proposed be included in the TROD. (*Bush/Roberts. Ayes: Bush, Roberts, Pipersky. Noes: Lizza.*) Commissioner Lizza favored workforce housing over TRODs.

--- Break: 12:45-1:05 p.m. ---

B. 2015 MONO COUNTY REGIONAL TRANSPORTATION PLAN, GENERAL PLAN, COUNTYWIDE INTEGRATED WASTE MANAGEMENT PLAN, AND NOISE ORDINANCE UPDATES; AND REPEAL OF THE CONWAY RANCH SPECIFIC PLAN; AND FINAL ENVIRONMENTAL IMPACT REPORT (the "2015 Updates and Repeal of the Conway Ranch Specific Plan) to adopt Resolution 15-05 1) making findings that a Final EIR (FEIR) has been prepared for the project in compliance with CEQA and that the FEIR is adequate and complete for consideration by the Board of Supervisors; 2) recommending the Board of Supervisors make the required findings and statement, certify the FEIR, and adopt the Mitigation Monitoring and Reporting Program (MMRP); and 3) finding that the 2015 Updates and Repeal of the Conway Ranch Specific Plan, including text changes to the Land Use Element, are consistent with the General Plan and recommending the Board of Supervisors adopt GPA 15-003, the MMRP, the CIWMP, and Noise Ordinance, and repeal the Conway Ranch Specific Plan. The 2015 Updates and Repeal of the Conway Ranch Specific Plan include a comprehensive update to the Land Use, Circulation, Conservation/Open Space, Safety and Noise elements of the General Plan; as well as the Regional Transportation Plan (RTP), three elements of the Countywide Integrated Waste Management Plan (CIWMP), Noise Ordinance, and the repeal of the Conway Ranch Specific Plan. The General Plan, RTP, CIWMP and Noise Ordinance cover the unincorporated areas. The RTP also applies to the town of Mammoth Lakes, and the CIWMP addresses solid waste issues within the town. The General Plan and RTP update continue to focus growth in and adjacent to existing communities to avoid growth in environmentally sensitive areas and agricultural lands, and support sustainable, healthy, and livable communities. The 2015 Updates and Repeal of the Conway Ranch Specific Plan will supersede and replace the currently adopted documents and plans. An Environmental Impact Report has been prepared for the proposed project in compliance with provisions of the California Environmental Quality Act (CEQA). *Staff: Wendy Sugimura, associate analyst; Brent Calloway, associate analyst*

Director Scott Burns lauded in detail the contributions of staff and consultants in a Herculean effort to update the General Plan and concomitant documents.

Wendy Sugimura reviewed the documents to be adopted in sequential order. Changes included: clarification of existing policies; elimination or modification of outdated or inconsistent regulations; streamlined or innovative regulation reform; and State mandates or department/procedural needs. Also addressed were the Circulation Element and RTP; Conservation/Open Space Element; biological assessment of plant communities and species as well as wildlife species; Safety and Noise elements; Countywide Integrated Waste Management Plan; and the EIR.

The following changes were made to concerns in comment letter from Supervisor Larry Johnston:

Large-scale alternative energy projects: Policy language recommended by Planning Commission:

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

Action 11.A.3.a. Where pre-empted by state law or other jurisdictional authority, work with applicable agencies to **avoid**, minimize **and mitigate** the impacts to the environmental, visual, recreational, wildlife habitat, and noise environment within the county, ~~for alternative energy development on federal, state, LADWP or other agency lands.~~

Action 11.A.3.ba. **Ensure and/or for non-county public lands** advocate for no adverse project impacts to the visual recreational, and noise environment in Mono County.

Action 11.A.3.cb. **Ensure and/or for non-county public lands** advocate for no adverse projects impacts to **biological resources and** wildlife habitat in Mono County, including sage grouse habitat and wind energy development impacts to migratory birds.

Delete the following:

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

~~Objective 12.A. Large-scale solar and window energy facilities shall not adversely impact the visual, recreational, and wildlife habitat resources, and noise environment in Mono County.~~

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

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

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

OHV Proliferation:

Varied input, some commissioners supportive, some not; one suggested removing language supporting exploration of potential opportunities and combined-use roads.

Commission agreed on adding this policy language: **Encourage agencies to manage OHV use to minimize user conflicts.**

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

Rodeo Grounds:

Commission agreed to include this language:

Action 12.J.2.b. Explore resort and residential development at the base of June Mountain Ski Area through conversations with the community, June Mountain, US Forest Service, and other stakeholders, and consider the "Conceptual Plan, June Mountain Ski Base Facilities" (2013).

Extension of Dark Sky Ordinance north of Mountain Gate:

No action by Commission: Antelope Valley RPAC to discuss and make recommendation if desired.

Industrial and heavy commercial equipment storage:

No action by Commission.

Expanded Home Occupation:

No action by Commission.

Other input:

Transient Rental Overlay Districts (TRODS): To be revisited and any revision could be incorporated into a future General Plan update.

Typographical errors noted: Action 24.F.3.fl, title page of Circulation Element, make sure edit to June Lake PUD language (Issue #35 in June Lake Area Plan) is amended.

RTP: Page 30: **Open passes as soon as practical.**

Page 42, second bullet under Lee Vining: Change from ~~speed along Mono Lake~~ to **reduce speed limits in Mono City.**

MOTION: Adopt Resolution R15-05 recommending that the Board of Supervisors certify the Final EIR for the 2015 Mono County regional Transportation Plan, General Plan, Countywide Integrated Waste Management Plan, and Noise Ordinance updates (the "2015 Updates"); approve and adopt the Mitigation Monitoring and Reporting Plan, and adopt the 2015 Updates and repeal the Conway Ranch Specific Plan. (*Ayes: 4. Absent: Thompson.*)

5. **WORKSHOP:** No items.

6. **REPORTS:**

A. DIRECTOR: 1) County Counsel: Marshall Rudolph has accepted a position with Inyo County starting January 2016; 2) CCPCA: Thanks to presenters Wendy Sugimura, Brent Calloway, and Commissioner Thompson.

B. COMMISSIONERS: Roberts: The California County Planning Commissioners Association (CCPCA) held its first-ever annual conference in Mono County, hosted at June Lake, and attendance was up a bit from last year. Indoor presentations and a ride up the two-person chairlift to June Mountain Chalet occurred the first day, and then a bus tour of areas of interest from Bridgeport to Mammoth the second day. Attendees from Mono included commissioners Roberts, Thompson, and Lizza and commission secretary CD Ritter. **Lizza:** Attended conferences of the Association of Environmental Professionals, thanking local presenters Stacey Simon and Wendy Sugimura, and CCPCA, organized by Commissioner Roberts, who as president of the CCPCA hosted the conference.

7. **INFORMATIONAL:** No items.

8. **ADJOURN** at 2:55 p.m. to December 10, 2015

Prepared by CD Ritter, commission secretary

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December 10, 2015

To: Mono County Planning Commission

From: Courtney Weiche, Associate Planner

Re: Use Permit 15-004 / Crowley Lake Skate Park

RECOMMENDATION

It is recommended that following the public hearing, the Planning Commission take the following actions:

1. In accordance with the California Environmental Quality Act (CEQA), determine none of the conditions in CEQA Guidelines §15162(a) applies to the proposed Crowley Lake Skate Park, and adopt the Crowley Lake Skate Park Addendum to the 1997 Negative Declaration for the Crowley Lake Community Center and Library, and direct staff to file a Notice of Determination;
2. Make the required findings as contained in the project staff report; and,
3. Approve Use Permit 15-004 subject to Conditions of Approval.

PROJECT

The proposed project is for construction of an up to 10,000 square foot (sf) skate park on the east side of the Crowley Lake Community Center parcel. The project site is located at 58 Pearson Rd. in the community of Crowley Lake on assessor's parcel number 060-210-020 at the intersection of South Landing Road and Pearson Road. The parcel is 2.1 acres, County owned, and has a land use designation of Public Facility. The site is primarily flat and mainly developed on the western half of the parcel with the parking area, community center, community garden, and bus stop. To the south is a parcel owned by Church on the Mountain with a land use designation of Public Facility. Across South Landing Drive and Pearson Road is the Crowley Lake Mobile Home Park and Crowley Lake General Store. Southeast of the property is 4.5 acres of undeveloped land designated Single-Family Residential between the site and the closest single-family neighborhood known as Sierra Springs.

BACKGROUND

In 1997, Conditional Use Permit 37-97-01 was approved specifying site locations and standards for a proposed new community center, library and basketball court (see figure 2). In 2002, the Board of Supervisors authorized Public Works to oversee the design and construction of the now-built Crowley Lake Community Center. County Service Area 1 (CSA) was able to fully fund the proposed project. The current location of the community center varies from the original use permit site plan and was sited further to the east on the parcel following a community outreach process of the CSA. A new site plan was drawn by the Mono County Public Works Department to memorialize the as-built changes (see figure 3). In 2011, with Mono County Board of Supervisors authorization, the CSA converted the land between the community center and parking area into a community garden (see figure 4).

The CSA prepared a Ten Year Plan identifying and prioritizing potential projects in the Long Valley area. The Board of Supervisors reviewed the plan in 2013 and directed the CSA to conduct additional outreach to the community for input on proposed projects. The CSA responded by a community survey in the fall of 2012. The survey was well received by the community, and was reviewed by the Long Valley Regional Planning Advisory Committee. The results of that survey were incorporated into the Ten Year Plan (see attached).

Although the results of the community survey identified the library as the top priority, it is not a reasonably foreseeable project due to current limitations of funding, staffing and support from the Mono County Office of Education and Friends of the Library at this time. Acknowledging the community's support for a future library, the proposed site plan dedicates sufficient space, as indicated by the Crowley Lake Friends of the Library president, for the facility. The remaining identified priority projects have since been completed by the CSA, including improvements to Crowley Lake ballfield, community center solar panels, and additional playground equipment for the Crowley Lake Park.

Site planning, including alternative layouts, was reviewed in consultation with Public Works, Planning and Building; the preferred site plan is the project as presented. At the October 27, 2015 CSA meeting, a motion was approved to make the skate park its number one priority.

**Figure 1:
Land Use Designations in Crowley Lake**

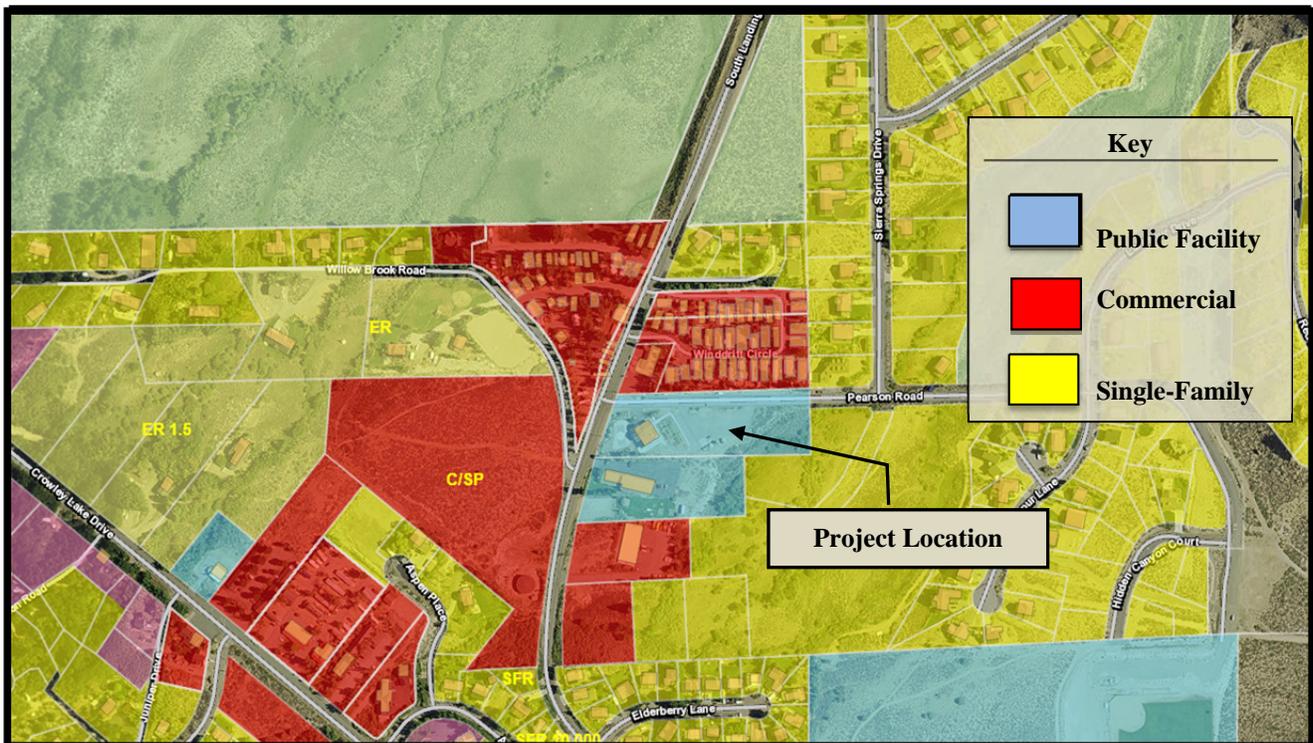
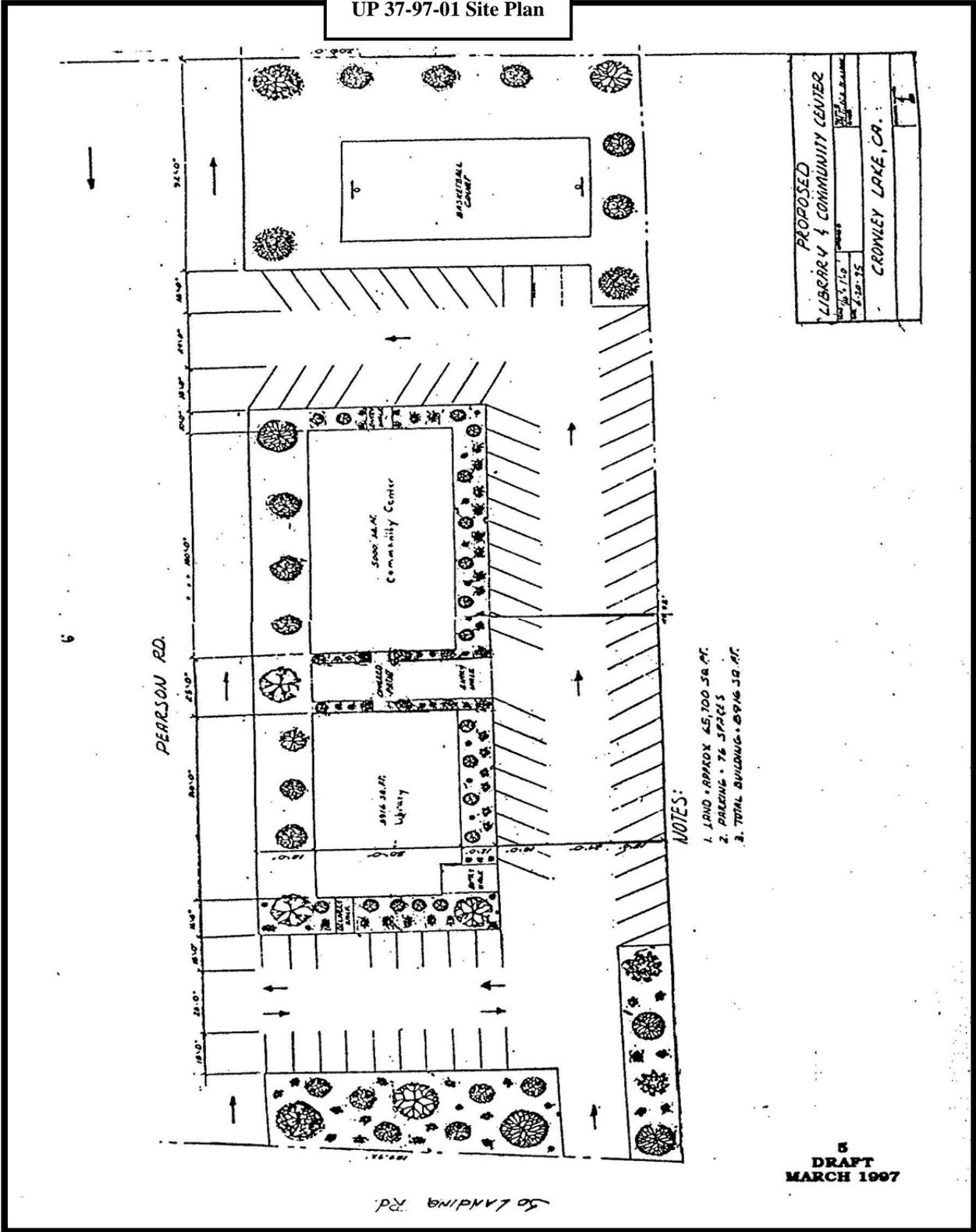


Figure 2:
UP 37-97-01 Site Plan



PROPOSED	
LIBRARY & COMMUNITY CENTER	
DATE: 3/15/97	BY: [Signature]
DATE: 8/28/95	BY: [Signature]
CROWLEY LAKE, CA.	
1	

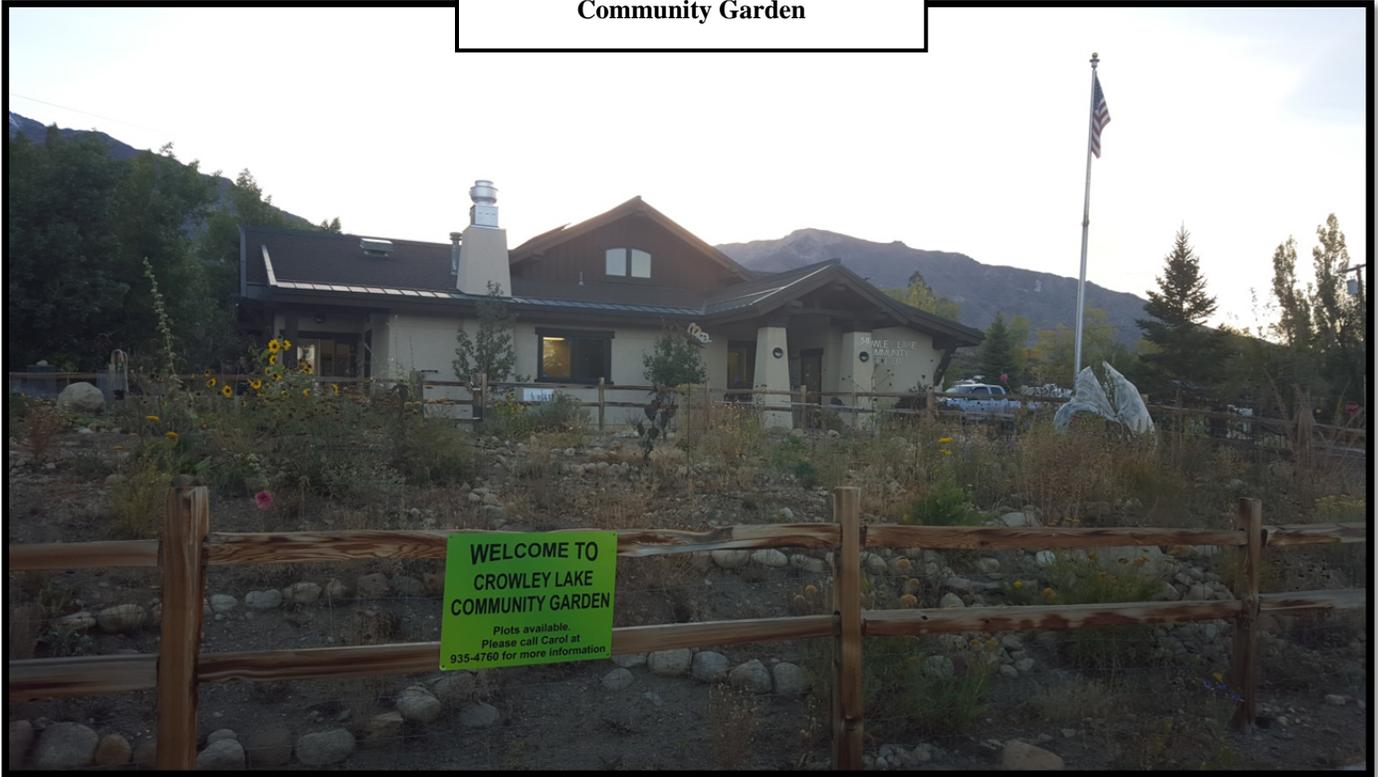
- NOTES:
1. LAND APPROPX. 45,700 SQ. FT.
 2. PARKING - 76 SPACES
 3. TOTAL BUILDING - 9916 SQ. FT.

5
DRAFT
MARCH 1997

Figure 3:
Public Works As-Built Site Plan 2002



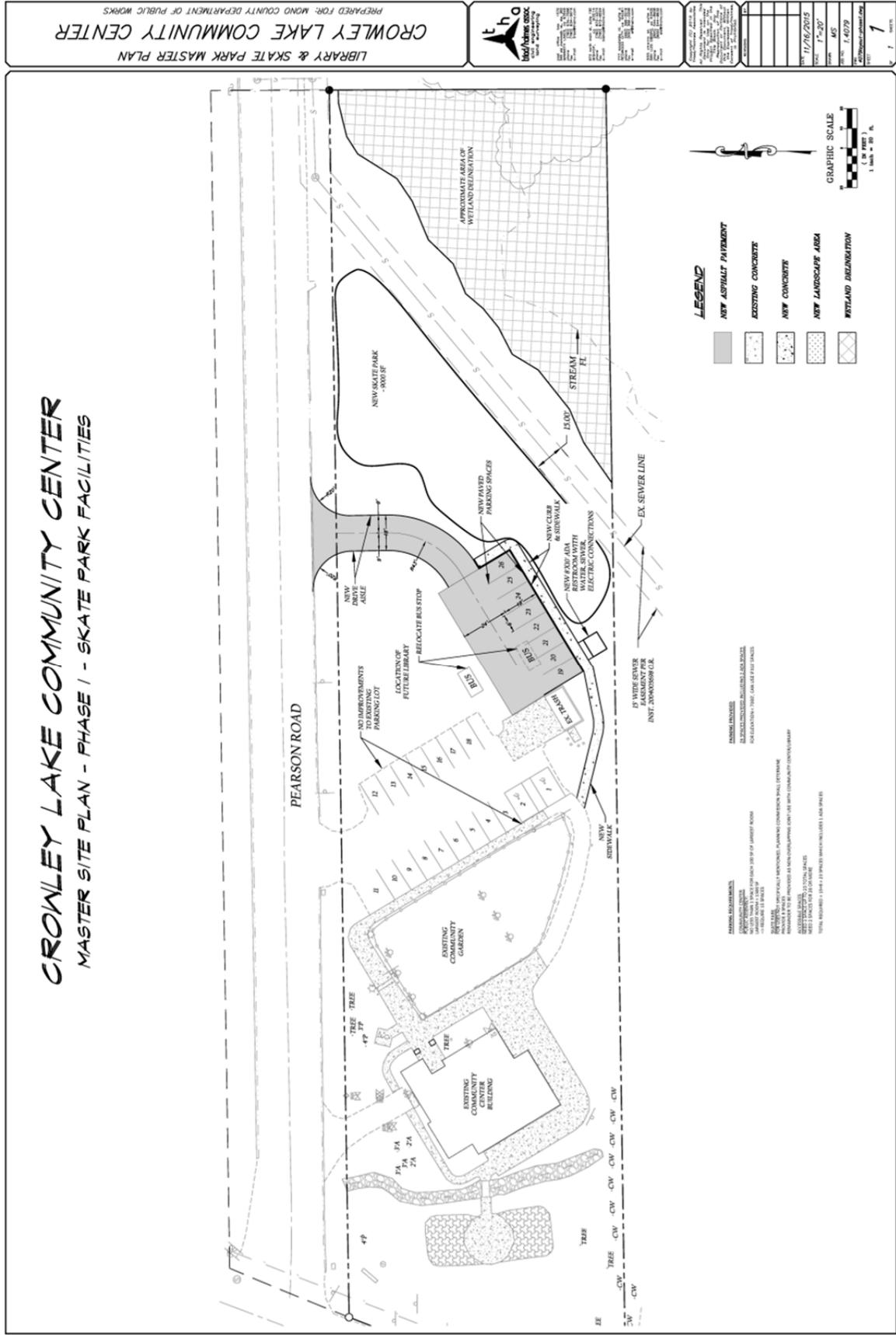
**Figure 4:
Community Garden**



PROJECT SPECIFICS

As stated, the project area is located along South Landing Drive and Pearson Road, which serves as the commercial core for Crowley Lake. The property is in the center of the community and is easily accessed by neighboring properties. The current site plan memorializes all existing and proposed uses including: the existing Crowley Lake community center (CLCC), community garden, sidewalk, pergola and outdoor area behind CLCC, parking, bus stop, trash enclosure, Digital 395 transformer box, and sewer lines. The proposed uses include: 10,000-sf skate park, paving the remaining looped road with an additional encroachment to the east onto Pearson Road, relocation of existing bus stop, new curb and sidewalk, additional parking spaces, and a new ADA unisex restroom with water, sewer and electric connections. Site planning, including alternative layouts, was reviewed in consultation with Public Works, Planning and Building; the preferred site plan is the project as presented. Additionally, the site plan delineates the wetland boundary per Dr. Jim Paulus' study (see attached Addendum) where no disturbance can occur.

As stated in the project description, submitted by the CSA, the skate park will be constructed primarily of poured and finished concrete, steel, and rocks, with a park design that will be vetted by the community. The skate park design will include use of local materials and vistas, is expected to be similar to the Volcom Brothers skate park in Mammoth Lakes, and will avoid the adjacent wetland and riparian area. Skate park features are intended to serve all ability levels and may include a continuous motion pump track, below-grade mini ramps and bowls, and above-grade features like hips, quarter pipes, volcanoes, pyramids, tombstones, etc. Maximum heights above and below grade may extend 4-6 feet in either direction.

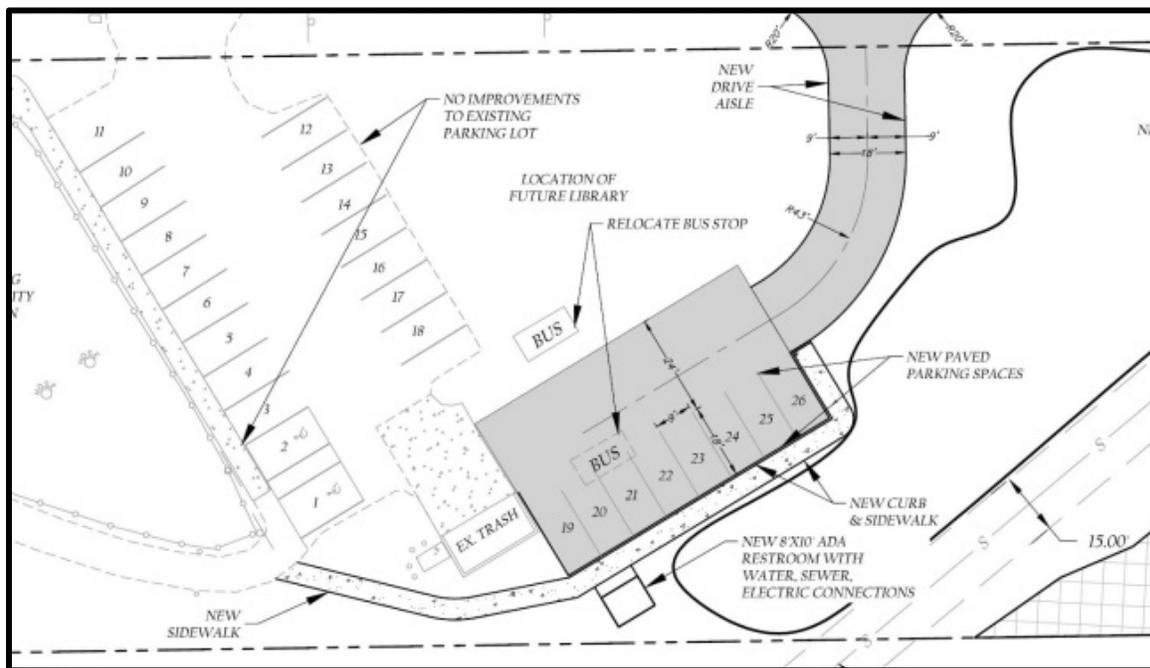


PARKING REQUIREMENTS

Mono County General Plan, Chapter 06, does not specifically address parking requirements for a skate park, however Table 06.010 "Required Number of Spaces, does state: "For any uses not specifically mentioned herein, the Commission shall determine the number or amount of parking required." Additionally, proposed off site and joint use parking are allowed subject to compliance with specific circumstances. Reductions in parking can be made when a facility is near a public transit stop, which the community center is, and where bike racks are provided.

The number and location of the proposed parking associated with the skate park was reviewed by the Land Development Technical Advisory Committee and their recommendations were presented to the Planning Commission for initial input on April 9, 2015. The proposal included the existing 18 paved parking spaces, two dedicated ADA spaces, and an additional eight spaces is proposed for development of the skate park. As required by the CA Building Code a new ADA-compliant sidewalk will be provided from the community garden's southern entrance to the skate park and adjacent to the last parking space (#26). In order to accommodate the new parking, the existing bus stop will be relocated approximately 30' to the north and will require buses to then enter from the new eastern driveway. The Planning Commission agreed the proposed number of parking spaces was sufficient and that the travel way for the loop road shall be paved in the first phase.

An additional six spaces are anticipated for final build-out of the envisioned master site plan, but are not required to be paved at this time. Pearson Road, County owned, is commonly used for overflow parking and is wide enough to accommodate additional parallel spaces on both sides of the street. Both Public Works and the Building Division were consulted and their recommendations were incorporated into the final design of the parking plan.



SIGNAGE

At this time there is no proposed design for a sign at the skate park, however an identification sign is anticipated. Any signage proposed shall comply with Chapter 16, Signs, and shall be reviewed in conjunction with the final design of the skate park per the conditions of approval. Established skate park rules will also be posted as required by the Risk Management Department prior to issuing a Certificate of Occupancy and considered by the Commission upon final skate park design approval.

PUBLIC OUTREACH

As noted previously, the CSA has outreached to the community via surveys to develop its Ten Year Plan. The Board of Supervisors reviewed and accepted the final plan in 2013. The CSA has long collaborated with the Long Valley RPAC on their priority projects, and policies were incorporated into the Long Valley Area Plan supporting the CSA's Ten Year Plan.

This October, the CSA held a public workshop to update and gain feedback from the Long Valley community on the proposed skate park site plan. A flyer to all properties within the CSA 1 boundaries was sent notifying residents of the workshop. The workshop was well attended and no opposition was apparent. Many school kids and parents spoke in favor of the skate park, stating the need for more activities in the area for kids. At that time, a skate park committee was also established to help fundraise and provide ongoing input during the design phase of the project.



A Planning Commission public hearing notice to surrounding property owners within 1000 feet of the community center parcel was sent November 20. To date, no comments have been received.

FINAL DESIGN APPROVAL

As required by the conditions of approval, the final design of the skate park shall be reviewed and approved by the Planning Commission at a noticed public hearing. The CSA wanted to secure the Use Permit approval for the site plan prior to expending any additional funds on an architect for the design of the skate park. Such design shall be in conformance with any requirements and limitations set forth in the environmental addendum, UP15-004 and as required by County departments.

LAND DEVELOPMENT TECHNICAL ADVISORY COMMITTEE

The LDTAC has considered and reviewed the project on multiple occasions and their recommendations have been incorporated into the Use Permit and conditions of approval.

ENVIRONMENTAL REVIEW

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

“(b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.” (Emphasis added.)

Section 15162(a), in turn, describes conditions under which a subsequent Negative Declaration must be prepared; none of these conditions exist, and therefore an addendum to the 1997 Negative Declaration is determined to be the appropriate environmental analysis. For a detailed explanation and analysis, please see the attached Crowley Lake Skate Park Addendum to the 1997 Negative Declaration for the Crowley Lake Community Center and Library.

USE PERMIT FINDINGS

In accordance with Mono County General Plan, Chapter 32, Processing-Use Permits, the Planning Commission may issue a Use Permit after making certain findings.

Section 32.010, Required Findings:

1. *All applicable provisions of the Mono County General Plan are complied with, and the site of the proposed use is adequate in size and shape to accommodate the use and to accommodate all yards, walls and fences, parking, loading, landscaping and other required features because:*

The 2-acre site will be able to accommodate the 10,000sf skate park with the existing and possible future uses.

The parcel is designated Public Facility, which allows for quasi-public facilities such as a skate park.

There are not defined setbacks for the PF designation however; Cal Fire typically requires a minimum 30' on all sides on parcels greater than one acre. After consultation, Cal Fire indicated the proposal, as presented, is in compliance with setback requirements per PRC 4290 Article 5 section 1276.01(a) (see email attachment from Jeremy Mitchell).

2. *The site for the proposed use related to streets and highways is adequate in width and type to carry the quantity and kind of traffic generated by the proposed use because:*

South Landing Road and Pearson Road provide site access. The project is not expected to generate significant amounts of traffic to alter existing circulation patterns. Because of its central location, many are likely to walk, bike, or skate to the site.

3. *The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located because:*

This project is not expected to impact adjoining property owners, if conducted in accordance with Mono County General Plan standards and conditions of this Conditional Use Permit. Furthermore, the site complements the existing adjoining community garden and community center and has exhibited support from the community. The location and use of a skate park has not been contested by adjacent owners.

4. *The proposed use is consistent with the map and text of the existing General Plan because:*

As noted above, the General Plan Land Use Designation for this property is Public Facility (PF). According to the Mono County General Plan, "the 'PF' designation is intended to provide for a variety of public and quasi-public facilities and uses."

Permitted uses subject to a Conditional Use Permit under the PF land use designation include public facilities structures and uses, including but not limited to: County buildings, community centers, parks, ball fields, etc.

The proposed development is consistent with the Long Valley Area Plan policies contained in the Mono County General Plan Land Use Element. The sections below from the Mono County General Plan support the project in Long Valley:

MONO COUNTY LAND USE ELEMENT, Countywide Land Use Policies

GOAL 1. Maintain and enhance the environmental and economic integrity of Mono County while providing for the land use needs of residents and visitors.

Objective 1.A. Accommodate future growth in a manner that preserves and protects the area's scenic, agricultural, natural, cultural and recreational resources and that is consistent with the capacities of public facilities and services.

Policy 1.A.1. Contain growth in and adjacent to existing community areas.

MONO COUNTY LAND USE ELEMENT, June Lake 2010: June Lake Area Plan

Long Valley GOAL 23. Maintain the rural residential character of the Long Valley communities (i.e., Long Valley, McGee Creek, Crowley Lake/Hilton Creek, Aspen Springs, and Sunny Slopes) in a manner that provides for commercial uses to serve community needs, and that protects the area's visual, recreational, and natural resources.

Objective 23.A. Provide appropriate public infrastructure and service capability expansion to support development, public safety, and quality of life.

Policy 23.A.4. Coordinate closely with County Service Area 1 in programming capital improvements and facilitating community input.

Action 23.A.4.a. Participate in the development of the County Service Area 1 10-year plan via the Long Valley RPAC (Regional Planning Advisory Committee).

Action 23.A.4.b. Periodically review and assist in updating and implementing the County Service Area 1 10-year plan.

Policy 23.C.2. Promote improvements in community commercial areas to increase their attractiveness and to rejuvenate existing commercial uses.

Action 23.C.2.a. Commercial development should follow county Design Guidelines and comply with the applicable development standards.

ATTACHMENTS

- 1. Notice of Determination and Conditions of Approval**
- 2. Skate Park Addendum**
- 3. Cal Fire Email from Jeremy Mitchel**
- 4. Mono County Service Area 1 Ten Year Plan**
- 5. Comments Received**
- 6. 11" x 17" Site Plan**

CONDITIONS OF APPROVAL: USE PERMIT 15-004/CROWLEY LAKE SKATE PARK

1. Project shall comply with all Mono County applicable department requirements including but not limited to; Environmental Health Department, Community Development Department, Public Works Department, and Risk Management.
2. Project shall provide and maintain a bicycle rack on-site.
3. All required parking shall be paved in compliance with site plan and shall be approved by the Public Works Department.
4. All exterior lighting shall be shielded and directed downward complying with Chapter 23, Dark Sky Regulations.
5. An encroachment permit shall be obtained from the Public Works Department for the new access point along Pearson Road.
6. Project shall comply with ADA as required by the Public Works and Building Departments.
7. Prior to operation, skate park rules shall approved by Mono County Risk Management applicable rules shall be posted.
8. Final site and building design, including any proposed signage, shall be reviewed and approved by the Planning Commission with input from the Public Works, Building, Planning, and Risk Management Departments after review and comment by appropriate community groups (i.e. Long Valley RPAC, Friends of the Library, public workshops, etc.).
9. All associated costs with the skate park, including construction and ongoing maintenance, shall be funded by the CSA.
10. CSA is required to present the budget for the skate park and associated improvements to the Board of Supervisors for approval prior to expending anything beyond \$5000.
11. The skate park design should be compatible with community design studies such as the 2015 Character Inventory & Design Guidelines for Highway 395 Scenic Byway Corridor Communities.
12. The anticipated electrical uses should consider use of solar power.

ENVIRONMENTAL CONDITIONS

13. On-site grading and earthwork shall take place in conformance with Mono County Grading Ordinance (Mono County Zoning and Development Code 13.08) which contains standards for controlling site cleaning, drainage interference, earth work, and erosion.
14. Lahontan Regional Water Quality Control Board (LRWQCB) regulations shall be followed to prevent erosion and runoff impacts to the adjacent riparian and wetland area, and may include post-construction stormwater management plans, low-impact development solutions (see the Mono County General Plan Appendix), and other measures provided by the California Stormwater Quality Association (CASQA).¹
15. The project will be designed to avoid any disturbance of the riparian and delineated wetland area established in the study by J. Paulus (Exhibit 2). Catchment facilities and other low-impact development

¹ The responsible agency for compliance and monitoring of this condition is the Lahontan Regional Water Quality Control Board.

solutions will be incorporated into the project design to trap sheet flow from paved areas, and prevent erosion and runoff into the wetland and riparian area.

16. On-site grading and earthwork shall take place in conformance with Mono County Grading Ordinance (Mono County Zoning and Development Code 13.08) which contains standards for controlling site cleaning, drainage interference, earth work, and erosion.
17. Lahontan Regional Water Quality Control Board (LRWQCB) regulations shall be followed to prevent erosion and runoff impacts to the adjacent riparian and wetland area, and may include post-construction stormwater management plans, low-impact development solutions (see the Mono County General Plan Appendix), and other measures provided by the California Stormwater Quality Association (CASQA).
18. Construction activities shall be scheduled during daytime hours to reduce disturbance to nocturnal wildlife species.
19. Impacts from night lighting shall be minimized by compliance with the Dark Sky Regulations of Chapter 23 in the Land Use Element of the Mono County General Plan, which requires lighting to be shielded and directed downward, or of low wattage, to minimize glare and light trespass outside the intended area of illumination.
20. Construction and use of the proposed facility will comply with Mono County Code 10.16 Noise Regulation which limits exterior and construction noise levels.
21. A “will serve” letter from the Long Valley Fire Protection District will be obtained before construction begins.
22. A “will serve” letter will be obtained from the Hilton Creek Community Services District for sewer service.
23. A “will serve” letter will be obtained from Mountain Meadows Water Company for water service.
24. Impacts from night lighting shall be minimized by compliance with the Dark Sky Regulations of Chapter 23 in the Land Use Element of the Mono County General Plan, which requires lighting to be shielded and directed downward, or of low wattage, to minimize glare and light trespass onto adjoining uses.
25. All proposed signage will comply with Chapter 7 – Signs in the Land Use Element of the Mono County General Plan.
26. A landscaping plan will be required. All site disturbances shall be revegetated with a mix of indigenous species native to the site.
27. The visual impacts of parking areas shall be minimized through the use of landscaping, covered parking, siting which screens the parking from view, or other appropriate measures.
28. The design, color, and building materials for structures, fences, and signs shall be compatible with the natural environment and/or surrounding community.
29. Reflective materials will not be used or use will be minimized.
30. Work shall be stopped and appropriate agencies will be notified if archaeological evidence is encountered during earthwork activities. No disturbance of an archaeological site shall be permitted until such time as a qualified consultant is hired and an appropriate report is filed with the County Planning Department which identifies acceptable site mitigation measures



CROWLEY LAKE SKATE PARK ADDENDUM TO THE NEGATIVE DECLARATION FOR THE CROWLEY LAKE COMMUNITY CENTER AND LIBRARY

LEAD AGENCY:

Mono County Community Development Department, Planning Division
PO Box 347
437 Old Mammoth Road, STE P
Mammoth Lakes, CA 93546

DECEMBER 2015

INTRODUCTION AND BACKGROUND

This Addendum to the Negative Declaration for the Crowley Lake Community Center and Library (Exhibit 1) applies to the proposed skate park and associated features as described herein.

The project is located at 58 Pearson Road in the community of Crowley Lake on assessor's parcel number 060-210-020 at the intersection of South Landing Road and Pearson Road (see Figure 1). The proposed project is for construction up to a 10,000 square foot (sf) skate park on the east side of the Crowley Lake Community Center (CLCC) parcel. The parcel is 2.1 acres, County owned, and has a land use designation of Public Facility. The site is primarily flat and mainly developed on the western half of the parcel with the parking area, community center, community garden, and bus stop. To the south is a parcel owned by Church on the Mountain with a land use designation of Public Facility. Across South Landing Drive and Pearson Road is the Crowley Lake Mobile Home Park and Crowley Lake General Store. South-east of the property is 4.5 acres of undeveloped land with a land use designation of Single Family Residential between the site and the closest single-family neighborhood known as Sierra Springs.

On April 28, 1997, the Mono County Planning Commission adopted a Negative Declaration subject to identified mitigation measures for the project titled "Crowley Lake Community Center and Library" (Exhibit 1). The Commission made a finding that there was no substantial evidence presented indicating that the project, with the mitigation measures imposed by the Planning Commission, would have a significant adverse effect on the environment. The project as defined in Use Permit 37-97-01 considered new construction of up to a 5,000 square foot (sf) community center and up to a 3,916 sf library. The following summarizes the proposed uses and County requirements at the time:

Lot size:	65,000 square feet (sf)
Proposed Uses:	5,000 sf community center and 3,916 sf library
Lot Coverage:	63%
Parking:	76 spaces (39 required by County)
Snow Storage:	Approximately 26,000 sf (1,459 sf required by County)
Max. Building Height:	23 feet (35 feet maximum per County regulations)
Setbacks (30' req'd):	Front: approximately 102 feet Sides: 48 feet and 72 feet Rear: 162 feet

The Planning Commission approved Use Permit 37-97-01, and recommended the Board of Supervisors approve General Plan Amendment (GPA) 97-02 conditioned on the county taking title to the subject property and District Zoning Amendment (DZA) 37-97-01 conditioned on the county taking title to the subject property and adopting DZA findings. The Mono County Board of Supervisors approved GPA 97-02 and DZA 37-97-01 on August 19, 1997 (Resolution 97-50 and Ordinance 97-08, respectively).

The community, led by County Service Area (CSA) #1, has continued to consider and plan for future uses at the community center parcel. The library, a skate park, and community garden are the highest priority projects; however, the library is not reasonably foreseeable at this time and the community garden is an existing use. Therefore, this addendum specifically analyzes and applies to a future skate park project and the associated site plan changes proposed under Use Permit Application 15-004.

PROJECT DESCRIPTION AND SUMMARY OF USE PERMIT CHANGES

The proposed skate park consists of an approximately 10,000 sf skate park, paving the remaining looped road with an additional driveway to the east onto Pearson Road, relocation of the existing bus stop, new curb and sidewalk, additional parking spaces, and a new ADA unisex restroom with water, sewer and electric connections. The updated site plan (Exhibit 2) also memorializes all existing and proposed uses, including the existing Crowley Lake Community Center (CLCC), community garden, sidewalk, pergola and outdoor area behind the CLCC, parking, bus stop, trash enclosure, Digital 395 transformer box, sewer lines, and wetland boundary.

The skate park will be constructed primarily of poured and finished concrete, steel, and rocks, with a park design that will be vetted by the community. The skate park design will include use of local materials and vistas, and will protect the adjacent wetland and riparian area. Skate park features are intended to serve all ability levels and may include a continuous motion pump track, below-grade mini ramps and bowls, and above-grade features like hips, quarter pipes, volcanoes, pyramids, tombstones, etc. Maximum heights above and below grade may extend 4-6 feet in either direction.

Table 1 below summarizes changes from Use Permit (UP) 37-97-01 to UP 15-002 and existing uses:

TABLE 1
Existing Uses and Revision Including Skate Park Proposed in UP 15-002

USE PERMIT FEATURE	USE PERMIT 37-97-01 (1997)	EXISTING USES (2015)	PROPOSED USE PERMIT 15-002 (2015)
Lot size	65,000 sf	No change	No change
Proposed Uses	5,000 sf community center 3,916 sf library	3,000 sf community center 4,000 community garden Existing paved public area Existing bus stop	~10,000 sf skate park
Lot Coverage	63%	Reduced and in compliance with County standards	Reduced and in compliance with County standards
Parking	76 spaces	15 spaces + 2 ADA spaces	Additional 8 spaces
Snow Storage	~26,000 sf	Existing Undeveloped Area	Shall comply with PW Reqmnts.
Max. Building Height	23 feet	No Change	No change
Setbacks	Front: ~ 102 feet Sides: 48 feet and 72 feet Rear: 162 feet	Front: 30 feet Sides: 90 feet and 450 feet Rear: 35 feet	Front: 0 feet Sides: compliant with standards Rear: 0 feet

CEQA PROVISIONS FOR PREPARING AN ADDENDUM TO A NEGATIVE DECLARATION

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

*“(b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary **or** none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.”* (Emphasis added.)

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

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

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

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

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

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

(b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.”

Provided in the sections that follow is an assessment of whether any of the above CEQA requirements would necessitate preparation of a subsequent EIR to address changes proposed with UP 15-004.

NEW INFORMATION & POTENTIALLY SIGNIFICANT IMPACTS IN THE 1997 NEGATIVE DECLARATION

The skate park was not considered as part of the original project analyzed under the 1997 Negative Declaration (Exhibit 1). The site plan for the proposed project (Exhibit 2) identifies existing uses and proposed future uses (e.g. the skate park) in a configuration that avoids the wetland and riparian area in the eastern and southeastern corner of the parcel. The wetland and riparian area was evaluated by Dr. J. Paulus in a study prepared for the U.S. Army Corps of Engineers (see Exhibit 3: Delineation of Wetlands at the Community Center Parcel, Crowley Lake, California). The proposed setbacks are in

conformance with the parcel’s Land Use Designation of Public Facilities and CalFire requirements (see Exhibit 4: Email from Jeremy Mitchell, Calfire Battalion Chief).

No significant and unavoidable adverse impacts were identified in the 1997 Crowley Lake Community Center and Library Negative Declaration (Exhibit 1). Potentially significant impacts were identified, and were determined to be reduced to less-than-significant levels through adopted mitigation measures. Table 1 analyzes how environmental effects associated with the proposed addition of the skate park compares with the potentially significant impacts identified in 1997, and considers the new information above. No new impacts have been identified, and no impacts would be increased in severity as a result of the approval and implementation of Use Permit 15-004. No mitigation measures or alternatives previously found not to be feasible have been determined to be feasible, and all project mitigation measures are accepted by the project proponent.

TABLE 2
Comparison of Potentially Significant Impacts for Adopted UP 37-97-01 & Proposed UP 15-004

IMPACT OF CURRENT PROJECT & MITIGATIONS 1997 UP 37-97-01	IMPACT OF PROPOSED PROJECT 2015 UP 15-004
LAND USE	
<p>Impact: A Public Facility General Plan designation and Public Agency District zoning would be more consistent with the uses of UP 37-97-01.</p> <p>Mitigation Measures:</p> <ol style="list-style-type: none"> General Plan Amendment GPA 97-02 will be submitted to the Mono County Board of Supervisors for a change in the Land Use Designation of the proposed project site from Commercial to Public Agency. District Zoning Amendment DZA 37-97-01 will be submitted to the Mono County Board of Supervisors for a change in the zoning from Commercial to Public/Quasi-Public Facility. Use Permit Application UPA 37-97-01 will be submitted to the Mono County Planning Commission for the construction of a community center and library under Chapter 19.19.030 of the MCZDC. 	<p>Reduced Impact: The mitigation measures were completed as follows:</p> <ol style="list-style-type: none"> See Board of Supervisors Resolution 97-50 (8/19/97). See Board of Supervisors Ordinance 97-08 (8/19/97). See Planning Commission UP 37-97-01 (04/28/97). <p>The zoning code was integrated into the General Plan Land Use Designations in 2000, and the Land Use Designation and associated regulations of Public Facilities now applies.</p>
GEOLOGIC PROBLEMS	
<p>Impact: Soil stability and geomorphological conditions due to excavation and grading will be Less Than Significant because grading and earthwork will take place according to the Mono County grading ordinance and Lahontan Regional Water Quality Control Board (LRWQCB) guidelines.</p> <p>Mitigation Measures:</p> <ol style="list-style-type: none"> On-site grading and earthwork shall take place in conformance with Mono County Grading Ordinance (Mono County Zoning and Development Code 13.08) which contains standards for controlling site cleaning, 	<p>No Change: The project will conform to the Mono County Grading Ordinance (Mono County Code Chapter 13.08), and LRWQCB requirements. LRWQCB requirements have been updated over time. The most recent regulations and guidelines apply and may include post-construction stormwater management plans, low-impact development solutions (see the Mono County General Plan Appendix), and other measures provided by the California Stormwater Quality Association (CASQA).</p>

IMPACT OF CURRENT PROJECT & MITIGATIONS 1997 UP 37-97-01	IMPACT OF PROPOSED PROJECT 2015 UP 15-004
<p>drainage interference, earth work, and erosion.</p> <p>2. Lahontan Regional Quality Control Board Project Guidelines for Erosion Control will be followed to prevent erosion and runoff from the site (Appendix 1 of 1997 Negative Declaration).</p>	
WATER	
<p>Impact: The wetland and riparian area in the eastern portion of the property along Whiskey Creek could be impacted by increased surface runoff and discharge.</p> <p>Mitigation Measures:</p> <ol style="list-style-type: none"> 1. The project will be designed to avoid wetland areas by establishing a buffer zone between the wetland area and the edge of any pavement or building footprint. Catchment facilities will be incorporated into the project design to trap sheet flow from paved areas. 2. On-site grading and earthwork shall take place in conformance with Mono County Grading Ordinance (Mono County Zoning and Development Code 13.08) which contains standards for controlling site cleaning, drainage interference, earth work, and erosion. 3. Lahontan Regional Quality Control Board Project Guidelines for Erosion Control will be followed to prevent erosion of materials and runoff into the Whiskey Creek riparian area (Appendix 1 of 1997 Negative Declaration). 	<p>Reduced Impact: A wetland delineation study was conducted (see Exhibit 3), and the proposed site plan reconfigures existing and proposed uses to entirely avoid disturbance of the wetland and riparian area. The Mono County General Plan (which now includes the zoning code) continues to require that new development be located at least 30 feet away from the top of the bank of any blue line stream (on a US Geological Survey map).</p> <p>The project will conform to the Mono County Grading Ordinance (Mono County Code Chapter 13.08), and LRWQCB requirements, including catchment facilities and other Low Impact Development measures to trap sheet flow from paved areas, and prevent erosion and runoff into the riparian and wetland area. LRWQCB requirements have been updated over time. The most recent regulations and guidelines apply and may include post-construction stormwater management plans, low-impact development solutions (see the General Plan Appendix), and other measures provided by the California Stormwater Quality Association (CASQA).</p>
TRANSPORTATION/CIRCULATION	
<p>Impact: Transportation/circulation could be impacted by increased vehicle trips or traffic congestion.</p>	<p>No Change: Vehicle trips and traffic may be increased by the proposed skate park use; however, the capacity of South Landing Road (1,400 vehicle trips per hour) shall not be exceeded. In addition, the existing bus stop will be retained but relocated to a more ADA accessible location.</p>
BIOLOGICAL RESOURCES	
<p>Impact: Wetland habitat and wildlife dispersal or migration corridors could be impacted.</p> <p>Mitigation Measures:</p> <ol style="list-style-type: none"> 1. Construction activities shall be scheduled during daytime hours to reduce disturbance to nocturnal wildlife species. 2. Impacts from night lighting shall be minimized by adequately screening lights that could potentially illuminate wildlife movement. All lighting will be shielded and directed downward to minimize illumination of specific areas. 3. Construction and use of the proposed facility will 	<p>Reduced Impact to wetland habitat: A wetland delineation study was conducted (see Exhibit 3), and the proposed site plan reconfigures existing and proposed uses to entirely avoid disturbance of the wetland and riparian area. Also see the Water section.</p> <p>Reduced Impact from lighting: No outdoor lighting is proposed. However, should outdoor lighting be included for safety, security, or other reasons, it shall comply with Chapter 23 (Dark Sky Regulations) of the Land Use Element of the General Plan, which is more detailed than 1997 mitigation measure #2.</p>

IMPACT OF CURRENT PROJECT & MITIGATIONS 1997 UP 37-97-01	IMPACT OF PROPOSED PROJECT 2015 UP 15-004
comply with Mono County Code 10.16 Noise Regulation which limits exterior noise levels.	No Change to wildlife dispersal or migration corridors: The project will comply with mitigation measures in the 1997 Negative Declaration to reduce impacts to less than significant levels.
NOISE	
Impact: No potentially significant impact is identified subject to construction and operation compliance with Mono County Code Chapter 10.16 (Noise Regulation).	No Change: The project will comply with County Code Chapter 10.16 which limits exterior and construction noise levels. Limitations shall also apply to noise generated by use of skate park features, including any features that may focus or project sound such as bowls, pipes, etc.
PUBLIC SERVICES	
Impact: Fire protection services could be impacted. Mitigation Measure: 1. A "will serve" letter from the Long Valley Fire Protection District will be obtained before construction begins.	No Change: The project will comply with "will serve" letter requirements.
UTILITIES AND SERVICE SYSTEMS	
Impact: Utility and service systems could be impacted. Mitigation Measures: 1. A "will serve" letter will be obtained from the Hilton Creek Community Services District for sewer service. 2. A "will serve" letter will be obtained from Mountain Meadows Water Company for water service.	No Change: The project will comply with "will serve" letter requirements, and utilities will be installed in compliance with the California Building Code and Mono County Building Division requirements.
AESTHETICS	
Impact: Scenic vistas or scenic highways could be impacted. Mitigation Measures: 1. The proposed project will require outdoor lighting during evening hours of operation. The proposed lighting will be low intensity and screened from adjoining uses. 2. All proposed signage will meet the Mono County Zoning and Development Code 19.35 "Signs." 3. A landscaping plan will be required. All site disturbances shall be revegetated with a mix of indigenous species native to the site. 4. The visual impacts of parking areas shall be minimized through the use of landscaping, covered parking, siting which screens the parking from view, or other appropriate measures. 5. The design, color, and building materials for structures, fences, and signs shall be compatible with the natural environment and/or surrounding	Reduced Impact from lighting: No outdoor lighting is proposed. However, should outdoor lighting be included for safety, security, or other reasons, it shall comply with Chapter 23 (Dark Sky Regulations) of the Land Use Element of the General Plan, which is more detailed than 1997 mitigation measure #1. No Change: The project will comply with aesthetic design mitigation measures #2-5, and the design will be vetted by the community. It should be noted that the zoning code was integrated into the General Plan in 2000 and Chapter 7 now regulates signs. Measure #6 shall be applied; a limited amount of metal material may be required by Public Works to increase durability and reduce maintenance, such as thin metal trim on the edges of concrete features. If possible, the metal material should be of a matted or non-reflective finish, and the amount shall be minimized to the extent feasible. In addition, the skate park should be compatible with community design studies such as the 2015 Character Inventory & Design Guidelines

IMPACT OF CURRENT PROJECT & MITIGATIONS 1997 UP 37-97-01	IMPACT OF PROPOSED PROJECT 2015 UP 15-004
community. 6. Reflective materials will not be used or use will be minimized.	for Highway 395 Scenic Byway Corridor Communities.
CULTURAL RESOURCES	
<p>Impact: Archaeological resources could be impacted.</p> <p>Mitigation Measure:</p> <p>1. Work shall be stopped and appropriate agencies will be notified if archaeological evidence is encountered during earthwork activities. No disturbance of an archaeological site shall be permitted until such time as a qualified consultant is hired and an appropriate report is filed with the County Planning Department which identifies acceptable site mitigation measures.</p>	<p>No Change: The project shall comply with the 1997 Negative Declaration mitigation measures.</p>
GREENHOUSE GAS (GHG) EMISSIONS	
<p>CEQA did not included GHG emissions analysis at the time of the 1997 Negative Declaration.</p>	<p>The following analysis is based on the 2015 CEQA Checklist.</p> <p>Would the project:</p> <p>a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</p> <p>Less Than Significant Impact: As discussed in the Environmental Impact Report for the <i>2015 County of Regional Transportation Plan (RTP), General Plan, Countywide Integrated Waste Management Plan (CIWMP), and Noise Ordinance Updates; and Repeal of the Conway Ranch Specific Plan</i> project (see http://monocounty.ca.gov/planning/page/eir-2015-updates-and-repeal-conway-ranch-specific-plan), Mono County generates 0.03% of GHG emission in the state, which is an insignificant amount regionally. Locally, the skate park project is located adjacent to existing commercial and institutional uses and near existing residential, is expected to serve existing residents without inducing significant additional growth, and provides transit and bicycle amenities and access. In addition, increased vehicular capacity of the project is limited to the eight parking spaces, and the minimal anticipated electrical uses should consider solar energy use. These design and location features limit GHG emission impact to a less-than-significant level.</p> <p>b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of</p>

IMPACT OF CURRENT PROJECT & MITIGATIONS 1997 UP 37-97-01	IMPACT OF PROPOSED PROJECT 2015 UP 15-004
	<p>greenhouse gases?</p> <p>No Impact: The Mono County Resource Efficiency Plan (REP) is anticipated to be adopted by reference as part of the 2015 General Plan Update (GPA 15-003) on Dec. 8, 2015. This project is consistent with the REP.</p>

MODIFIED MITIGATION MEASURES

Since the approval of the 1997 Negative Declaration (Exhibit 1), the County zoning code has been integrated into the General Plan Land Use Element (adopted in 2000) and Chapter 10.16 Noise Regulation of the Mono County Code has been updated. Therefore, the following mitigation measures are modified to reflect the current applicable regulatory language:

- **Biological Resources Measure #2:** Impacts from night lighting shall be minimized by compliance with the Dark Sky Regulations of Chapter 23 in the Land Use Element of the Mono County General Plan, which requires lighting to be shielded and directed downward, or of low wattage, to minimize glare and light trespass outside the intended area of illumination.
- **Biological Resources Measure #3:** Construction and use of the proposed facility will comply with Mono County Code 10.16 Noise Regulation which limits exterior and construction noise levels.
- **Aesthetics Measure #1:** Impacts from night lighting shall be minimized by compliance with the Dark Sky Regulations of Chapter 23 in the Land Use Element of the Mono County General Plan, which requires lighting to be shielded and directed downward, or of low wattage, to minimize glare and light trespass onto adjoining uses.
- **Aesthetics Measure #2:** All proposed signage will comply with Chapter 7 – Signs in the Land Use Element of the Mono County General Plan.

In addition, a wetlands delineation study has been conducted (see Exhibit 3) and Lahontan Regional Water Quality Control Board regulations and practices pertaining to water quality protection have changed since the 1997 Negative Declaration. Therefore, the following mitigation measures are modified to reflect the wetland delineation study and current water quality protection best practices:

- **Geologic Problems Measure #2, Water Measure #3:** Lahontan Regional Water Quality Control Board (LRWQCB) regulations shall be followed to prevent erosion and runoff impacts to the adjacent riparian and wetland area, and may include post-construction stormwater management plans, low-impact development solutions (see the Mono County General Plan Appendix), and other measures provided by the California Stormwater Quality Association (CASQA).
- **Water Measure #1:** The project will be designed to avoid any disturbance of the riparian and delineated wetland area established in the study by J. Paulus (Exhibit 3). Catchment facilities and other low-impact development solutions will be incorporated into the project design to trap sheet flow from paved areas, and prevent erosion and runoff into the wetland and riparian area.

MITIGATION AND MONITORING PLAN

Section 15097 of the CEQA Guidelines states *"In order to ensure that the mitigation measures... identified in the... negative declaration are implemented, the public agency shall adopt a program for monitoring **or** reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects."* (Emphasis added.)

The mitigation measures identified in this addendum to the 1997 Negative Declaration are incorporated directly into the project through conditions in the use permit (UP 15-004), and shall be monitored through the implementation of the use permit.

CONCLUSION

Based on the considerations and analyses presented above, and based on the provisions contained in CEQA §15164[a]) as presented in its entirety in this Addendum, it is concluded that none of the conditions calling for preparation of a subsequent EIR have occurred. The County of Mono, acting as Lead Agency, has therefore determined that an Addendum to the adopted 1997 Negative Declaration for the Crowley Lake Community Center and Library is the appropriate CEQA document for the proposed Use Permit 15-004 for the Crowley Lake skate park.

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

All of the mitigation measures adopted by Mono County as part of the 1997 Negative Declaration remain in full force and effect, with the exception of (a) Land Use mitigation measures #1-3 which have been completed and are no longer applicable, and (b) the modifications to mitigation measures noted above.

Exhibits:

1. Adopted Negative Declaration for the Crowley Lake Community Center and Library (1997)
2. Crowley Lake Community Center Site Plan
3. Paulus, J. 2014. Delineation of Wetlands at the Community Center Parcel, Crowley Lake, California. Prepared for U.S. Army Corps of Engineers, Los Angeles District, Ventura, CA. Prepared by J. Paulus, Oakhurst, CA, and Mono County Public Works Dept., Bridgeport, CA.
4. Email from Jeremy Mitchell, CalFire Battalion Chief, dated May 21, 2015, RE: 30' Front Setback Requirement.

Exhibit 1

Crowley Lake Community Center and Library

Crowley Lake, California

PROPOSED NEGATIVE DECLARATION

March 1997

Prepared By:
Mono County Planning Department
P.O. Box 347, Mammoth Lakes, CA 93546
(619) 924-5450

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INITIAL STUDY AND PROPOSED NEGATIVE DECLARATION

I. INTRODUCTION.

The California Environmental Quality Act (CEQA) requires public agencies to consider the effects that development projects will have on the environment. The Mono County Planning Department has prepared an Initial Study to identify potential environmental impacts related to this project. The following environmental impacts and proposed mitigation measures have been developed by Staff and reviewed with the applicant to mitigate potential project impacts. Significant environmental effects are not anticipated if the project is carried out in accordance with the proposed mitigation measures. A Negative Declaration has been proposed for the project.

The **Mono County Master Environmental Assessment (MEA)**, **Mono County General Plan (MCGP)**, and the **Lakeridge Ranch Estates Draft Specific Plan and Environmental Impact Report** were used as the primary references in reviewing and making the following environmental determinations.

The Lakeridge Ranch Estates housing project was approved on August 1, 1995 for the vacant property on the east side of Whiskey Creek, east of the proposed project site. Because of the proximity of Lakeridge Ranch Estates property to the proposed project site, information on geological, biological, and cultural resources from the **Lakeridge Ranch Estates Specific Plan and Environmental Impact Report** (Mono County Planning Department, 1994) was also used to assess potential impacts resulting from construction of the proposed project.

All of these documents are available for review at the Mono County Planning Department office in Mammoth Lakes.

II. PROJECT INFORMATION

1. **Project Title:** Crowley Lake Community Center and Library. General Plan Amendment GPA 97-02, District Zoning Amendment DZA 37-97-01, and Use Permit Application UPA 37-97-01.
2. **Lead Agency Name and Address:**

Mono County Planning Department
P.O. Box 347
Mammoth Lakes, CA 93546
3. **Contact Person and Phone Number:** Gerry Le Francois 619-924-5450
4. **Project Location:** South Landing Road and Pearson Road, Crowley Lake, Mono County, CA. See Figures 1 and 2.
5. **Project Sponsor's Name and Address:**

Mono County Board of Supervisors
P.O. Box 715
Bridgeport, CA 93517

Figure 1 Vicinity Map

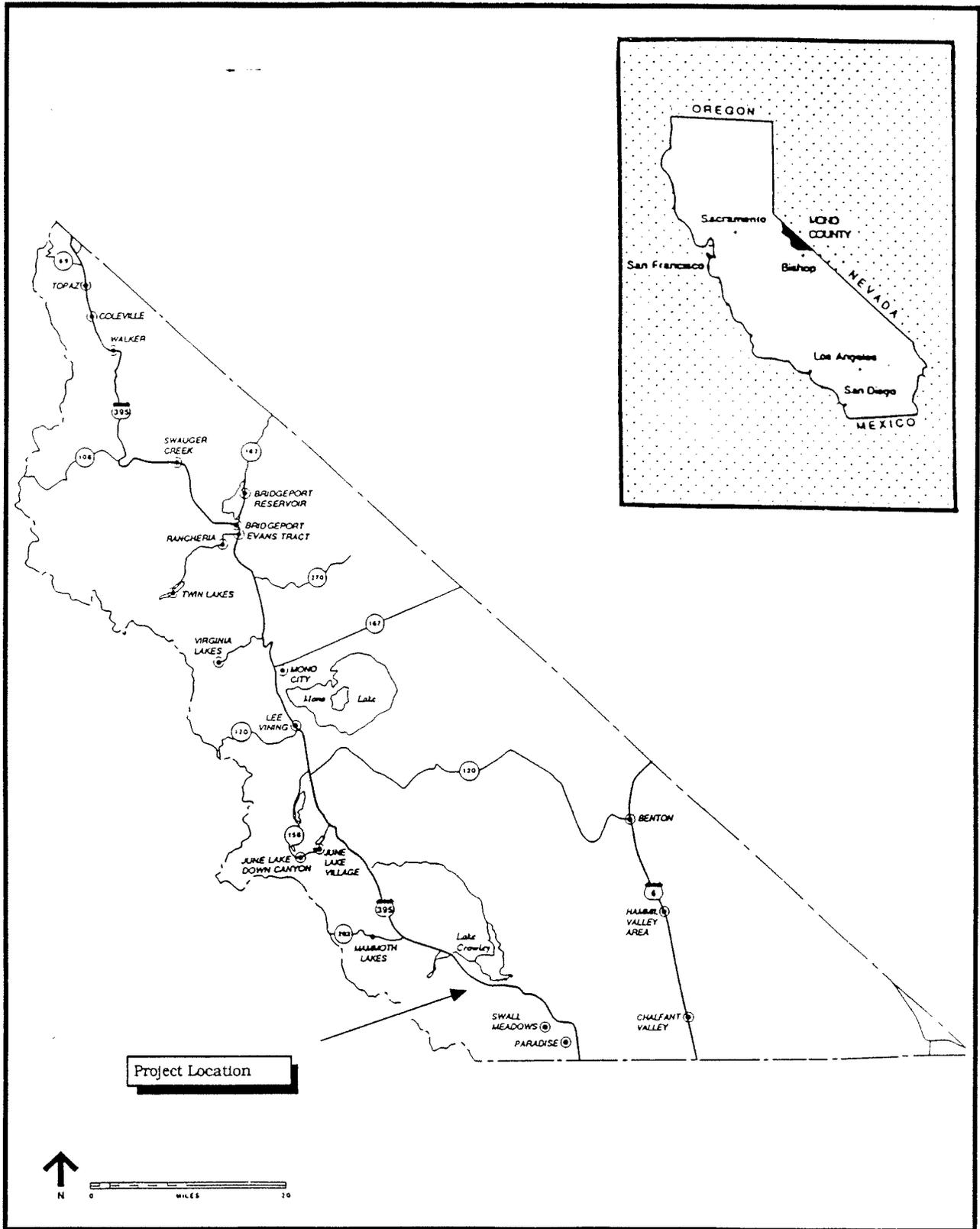
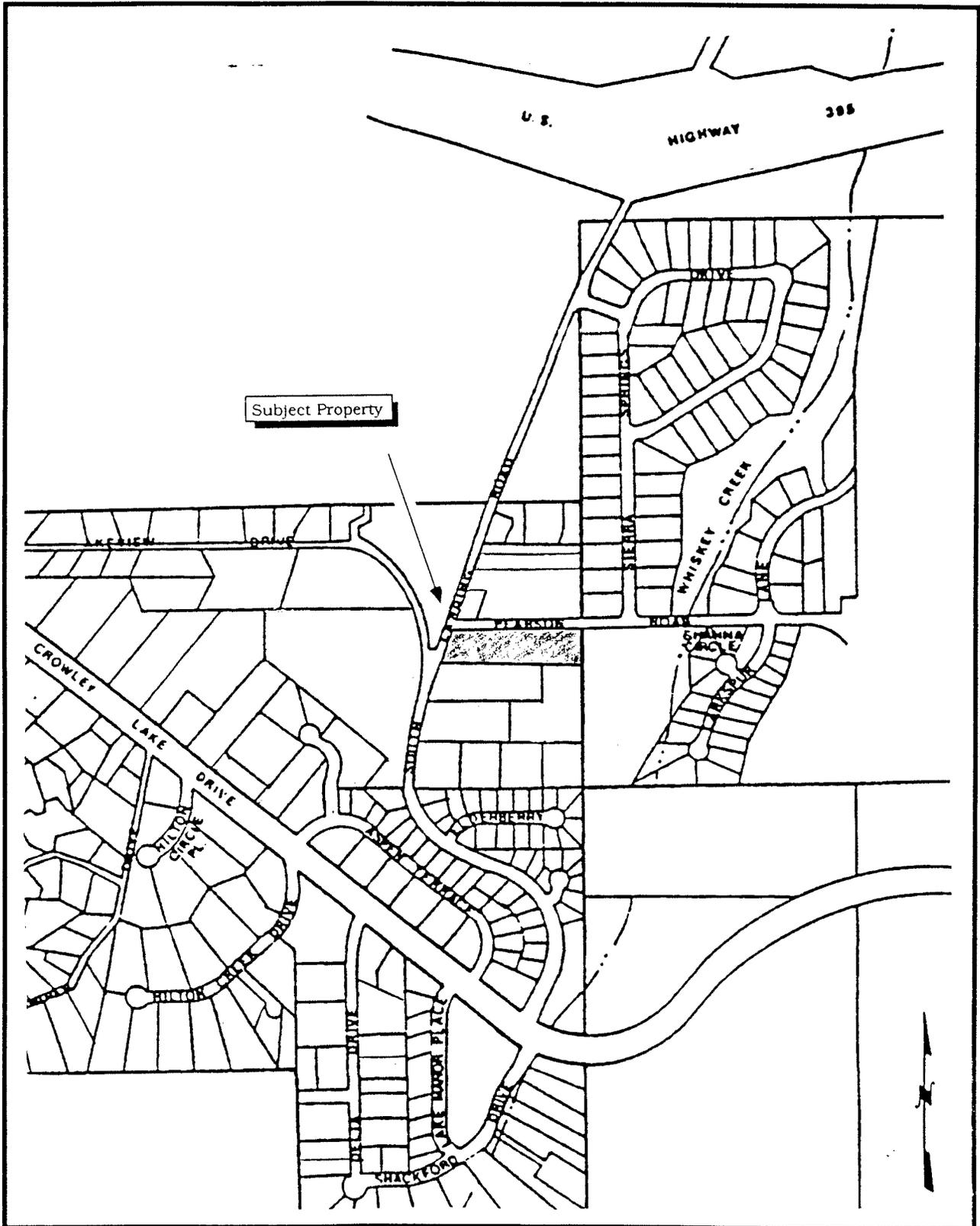


Figure 2 Project Location in Crowley Lake, California



- 6. General Plan Designation:** Commercial **7. Zoning:** Commercial
- 8. Other agencies whose approval is required (e.g., permits, financing approval, or participation agreement):**

Mono County Planning Commission - Use Permit
 Mono County Board of Supervisors - financing, General Plan Amendment, and District Zoning Amendment
 Mono County Building Department - Building Permits
 Lahontan Regional Water Quality Control Board - monitoring of adjacent riparian area
 Mono County Public Works Department - encroachment permit
 Long Valley Fire Protection District - "will serve" letter
 Hilton Creek Community Services District - "will serve " letter for sewer service
 Mountain Meadows Mutual Water Company - "will serve" letter for water service

- 9. Description of Project:** (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary)

The project is located in the Community of Crowley Lake, Mono County, California. (Figure 1) The property, Assessor's Parcel Number 60-210-20, extends south and east from the southeast corner of the intersection of South Landing Road and Pearson Road (Figure 2). The proposed project is for new construction of up to a 5,000 square foot community center and up to a 3,916 square foot library (Figures 3, 4, and 5, Table 1).

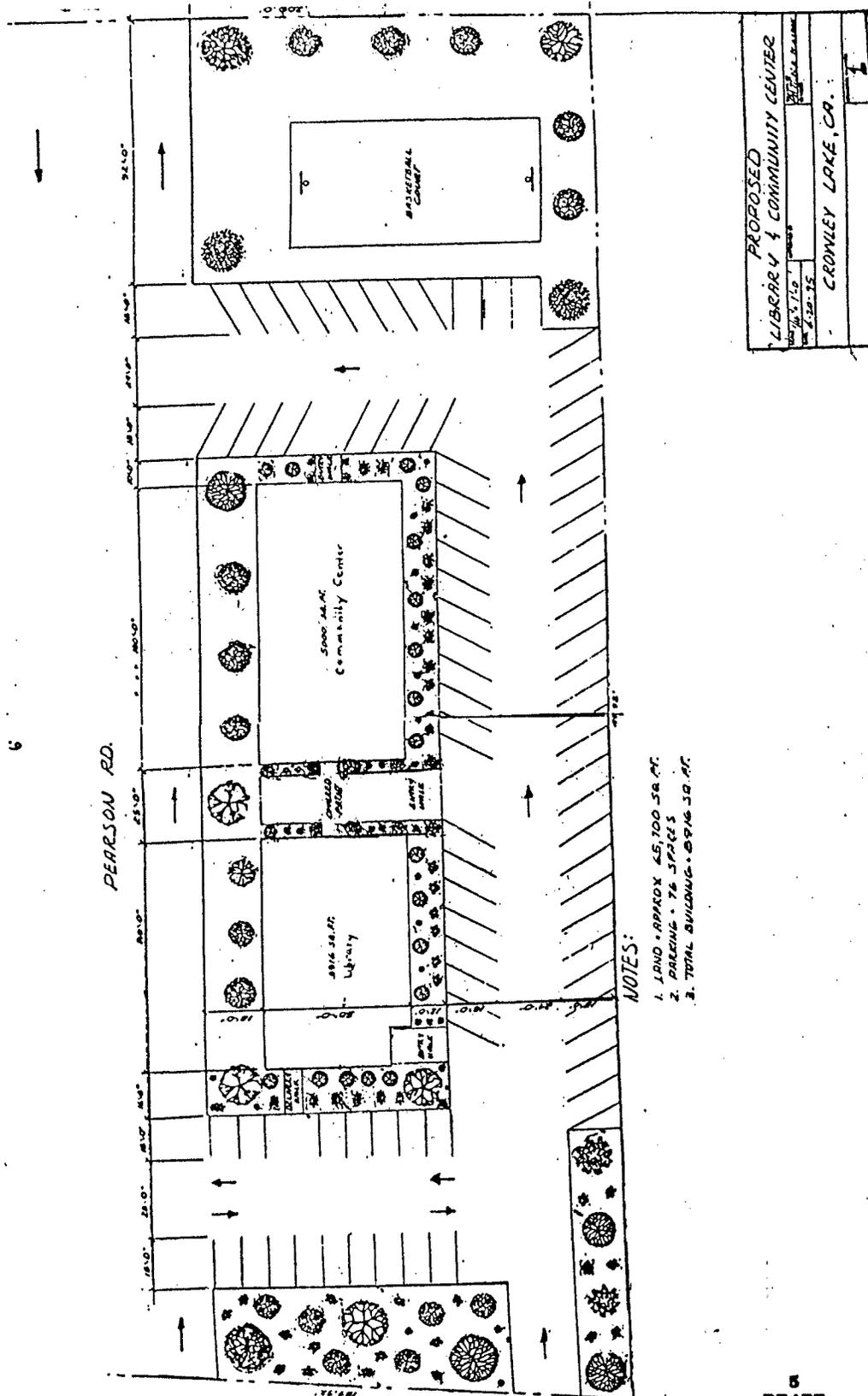
The conceptual building designs in Figures 3, 4, and 5 show one long structure extending along the east-west axis of the property, with the community center and library connected by a covered patio. Landscaping will be situated between the front parking lot and the road as well as around the building (Figure 3). The community center will include a large central community room, two conference rooms, a children's room, and a lounge (Figure 4). The library will include a room for stacks, a multi-media room, a news and magazine room, a children's room, and staff work and storage rooms (Figure 4). The design shows the building as having a brick facade, facing South Landing Road, and wood siding (Figure 5).

The construction of the community center in this facility is designed to replace the Crowley Lake Community Center that was converted to a substation for the Mono County Sheriff's Department in 1995. Director Review 95-12 approved the conversion of the Crowley Lake Community Center and the placement of an interim modular community center adjacent to the old community center (Notice of Decision Director Review 95-12, Sheriff's Substation & Limited Term Community Center, Mono County, CA). As a condition of approval of the Director Review, the county was directed to work with special districts in the Crowley Lake area to construct a permanent community center in conjunction with library and ball field plans .

Among the Issues/Opportunities/Constraints section of the Mono County General Plan's Long Valley Area section, there is a stated desire to develop a self-sufficient community and a need to provide services, as well as commercial uses, to the community (MCGP II-11). The proposed facility serves the need and desire of the community for a meeting area and for a library.

The vacant parcel is designated Commercial (C) in the Mono County General Plan and zoned Commercial (C District) in the Mono County Zoning and Development Code (MCZDC). As a condition of escrow, a General Plan Amendment will be needed to change the Land Use Designation from Commercial to Public/Quasi-Public Facility (PF) and a District Zoning Amendment will be needed to change the zoning from C-District to Public Agency (P-A District). Under 19.19.030 of the MCZDC, a use permit is required for use of the property as a

Figure 3 Conceptual Site Plan



PROPOSED	
LIBRARY & COMMUNITY CENTER	
DATE: 3/10/97	SCALE: 1/8" = 1'-0"
DRAWN BY: [Signature]	
CROWLEY LAKE, CO.	

NOTES:

1. LAND APPROX 45,700 SQ. FT.
2. PARKING: 74 SPACES
3. TOTAL BUILDING: 45,700 SQ. FT.

5
DRAFT
MARCH 1997

50 LANDING RD

Figure 4 Conceptual Floor Plan

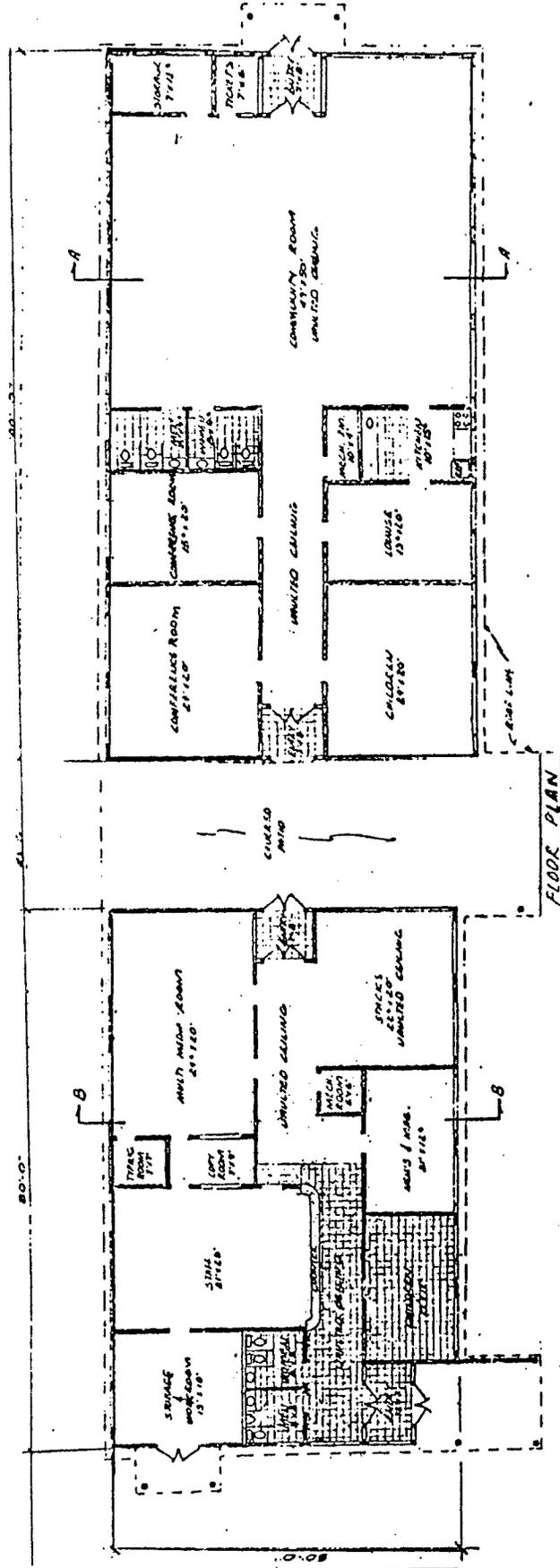
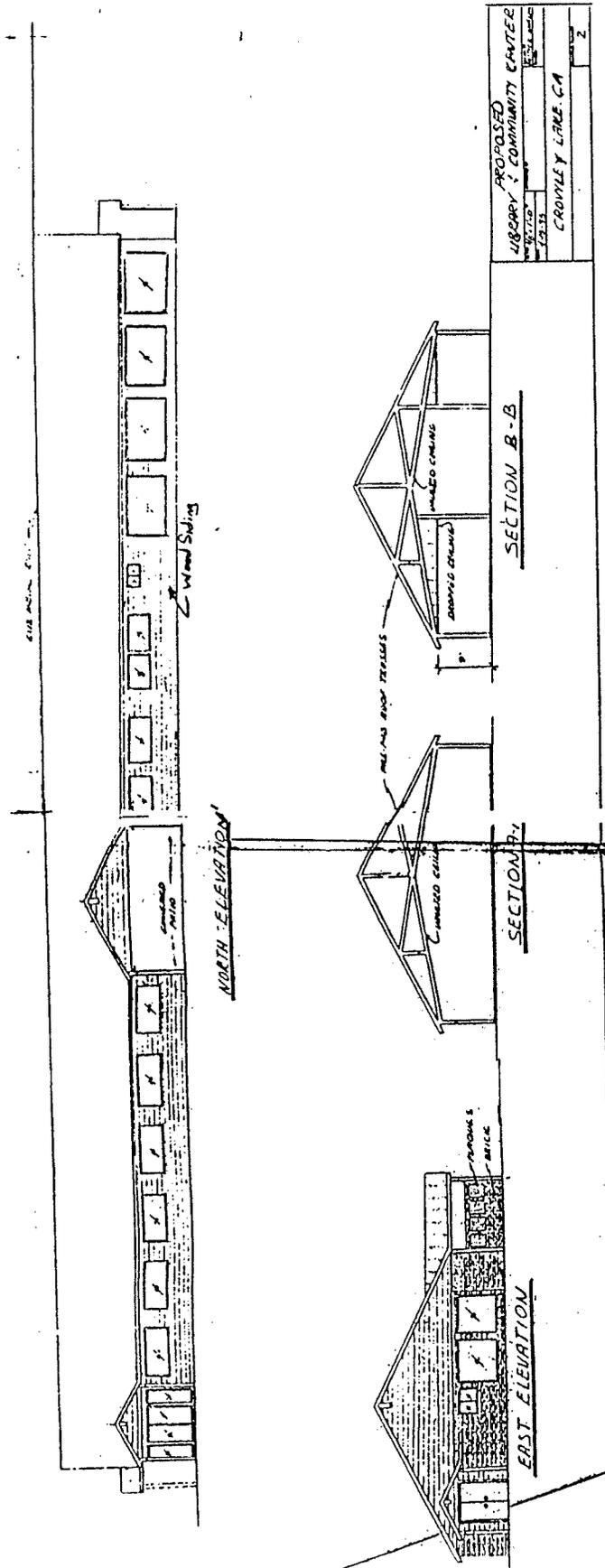


Figure 5 Conceptual External View



community center and library in the P-A District. This Negative Declaration analyzes the potential environmental impacts of the General Plan Amendment, District Zoning Amendment, and Use Permit allowing for the construction and use of a community center of up to 5,000 sf and library of up to 3,916 sf.

Table 1 – Summary Of Proposed Uses And County Requirements For New Construction Of The Crowley Lake Community Center And Library

CHARACTERISTIC	PROPOSED USES	COUNTY REQUIREMENTS
Lot Size	65,000 sf	none
Proposed Uses	5,000 sf community center 3,916 sf library	
Lot Coverage	63%	none
Parking	76 spaces	39 (see Traffic section)
Snow Storage	Approx. 26,000 (Landscaping area and Basketball Court)	17,459 sf ¹
Max. Building Height	23 feet	35 feet
Setbacks	Front: approx. 102 feet Sides: 48 feet and 72 feet Rear: 162 feet	Front: 30 feet ² Sides: 30 feet Rear: 30 feet
NOTES		
¹ 55% of area covered by parking and walkways.		
² MCZDC 19.26.130 Fuel Modification Standards, Setback for Structure Defensible Space.		

10. Existing Conditions

The vacant site is primarily covered with Basin Sagebrush Series vegetation (MEA Figure 29J). Whiskey Creek flows south to north, east of the proposed building site. There is some Whiskey Creek riparian vegetation on the eastern portion of the property. The riparian area is approximately 450 feet away from the southwestern corner of the property. The property gently slopes to the north and the back portion of the property also slopes to the east. There was once a trailer on the site and there was some grading and removal of vegetation, although the land was not filled. A group of poplar trees was planted by the previous owner on the southwest corner of the property.

11. Surrounding Land Uses and Setting (Briefly describe the project's surroundings)

The land to the north, west, and south of the proposed project site is zoned commercial and the land east of the proposed project site is zoned residential. Surrounding parcels range from 0.21 acres to 9.16 acres. Immediately north of the property is the Crowley Lake General Store where there is a community bulletin board, post office boxes, and a gas station. Immediately south of the property is a church. To the west, across South Landing Road, there is a mobile home and vacant property, and to the southwest is a mobilehome park. To the east, on the east side of Whiskey Creek, the land is vacant but the Lakeridge Ranch Estates housing development project has been approved.

III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact", or as indicated by the checklist on the following pages.

- Land Use and Planning Circulation Public Services
- Population and Housing Biological Resources Utilities and Service Systems
- Geophysical Energy and Mineral Resources Aesthetics
- Water Hazards Cultural Resources
- Air Quality Noise Recreation
- Mandatory Findings of Significance

IV. DETERMINATION

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION WILL BE PREPARED.

I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a significant effect(s) on the environmental, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

Date 3/12/97

Gerry LeFrancois
Signature

Gerry LeFrancois
Assistant Planner
Printed Name

For:

V. ENVIRONMENTAL IMPACTS

The following environmental checklist helps to focus public input and foster discussion on various subject areas which could be impacted by the proposed project. Project impacts which are Potentially Significant, Potentially Significant Unless Mitigation Is Incorporated or Less Than Significant are discussed in section VI, Discussion of Environmental Impacts and Mitigation Measures. In some cases, where the project is not anticipated to have a potential impact, source documents or a brief explanation on why there is no impact may be contained in parentheses following each question, or discussed in section VI. In other cases where the "No Impacts" box is checked, normal operation of the proposed facility is not expected to create potential impacts, or potential impacts are minimized by the routine permitting procedures.

Issues & Supporting Information Sources		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1. LAND USE AND PLANNING. Would the proposal:					
a)	Conflict with general plan designation or zoning?		X		
b)	Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project? (See Mitigation Measure 2, WATER and GEOLOGY, Section VI.)		X		
c)	Be incompatible with existing land use in the vicinity?				X
d)	Affect agricultural resources or operations (e.g. impacts to soils or farmlands, or impacts from incompatible land uses)? (There are no agricultural operations in the vicinity)				X
e)	Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?				X
2. POPULATION AND HOUSING. Would the proposal:					
a)	Cumulatively exceed official regional or local population projections? (Proposed facility will be used by current residents)				X
b)	Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)? (See a)				X
c)	Displace existing housing, especially affordable housing? (Site is currently vacant)				X
3. GEOLOGIC PROBLEMS. Would the proposal result in or expose people to potential impacts involving:					
a)	Fault rupture? (State of CA "Special Studies Zone-SW1/4 Casa Diablo Mtn. Mono County MEA -Fig 34 J)				X
b)	Seismic ground shaking?			X	

Issues & Supporting Information Sources		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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c)	Seismic ground failure, including liquefaction? (Mono County MEA-Fig 34J)				X
d)	Seiche, tsunami, or volcanic hazard?			X	
e)	Landslides or mudflows? (MEA-Fig 35J)				X
f)	Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill?		X		
g)	Subsidence of the land? (MEA-p.283)				X
h)	Expansive soils?				X
i)	Unique geologic or physical features?				X

4. WATER. Would the proposal result in:

a)	Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?		X		
b)	Exposure of people or property to water related hazards such as flooding?(Flood Insurance Rate Map-panel 169)				X
c)	Discharge into surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen or turbidity)?		X		
d)	Changes in the amount of surface water in any water body?		X		
e)	Changes in currents, or the course or direction of water movements?		X		
f)	Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability? (Grading will not intercept water table)				X
g)	Altered direction or rate of flow of groundwater? (See f)				X
h)	Impacts to groundwater quality? (See f)				X
i)	Substantial reduction in the amount of groundwater other wise available for public water supplies? (Facility will be used by current residents)				X

5. AIR QUALITY. Would the proposal:

a)	Violate any air quality standard or contribute to an existing or projected air quality violation? (Project not located in a Great Basin Unified Air Pollution District non-attainment area)				X
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Issues & Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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b)	Expose sensitive receptors to pollutants?				X
c)	Alter air movement, moisture, or temperature, or cause any change in climate?				X
d)	Create objectionable odors?				X

6. TRANSPORTATION/CIRCULATION. Would the proposal result in:

a)	Increased vehicle trips or traffic congestion?			X	
b)	Hazards to safety from design features (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				X
c)	Inadequate emergency access or access to nearby uses?				X
d)	Insufficient parking capacity on-site or off-site?				X
e)	Hazards or barriers for pedestrians or bicyclists?				X
f)	Conflicts with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks)?				X
g)	Rail, waterborne or air traffic impacts?				X

7. BIOLOGICAL RESOURCES. Would the proposal result in impacts to:

	Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds) ?				X
b)	Locally designated species (e.g. heritage trees) ?				X
c)	Locally designated natural communities (e.g. oak forest, coastal habitat, etc.)?				X
d)	Wetland habitat (e.g. marsh, riparian and vernal pool)?		X		
e)	Wildlife dispersal or migration corridors ?		X		

8. ENERGY AND MINERAL RESOURCES. Would the proposal:

a)	Conflict with adopted energy conservation plans? (State Building Energy Efficiency Standard, Title 24)				X
b)	Use non-renewable resources in a wasteful and inefficient manner? (See a)				X
c)	Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State? (Project is in area classified as MRA -1: MEA Fig 17 J; Land Use Designation and Zoning designated Commercial)				X

Issues & Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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9. HAZARDS. Would the proposal involve:				
	a) A risk or accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)?			X
	b) Possible interference with an emergency response plan or emergency evacuation plan? (Buildings will comply with Uniform Building Code Section 301 (A), Mono County Zoning and Development Code 15.04.070.A)			X
	c) The creation of any health hazard or potential health hazard?			X
	d) Exposure of people to existing sources for potential health hazards?			X
	e) Increased fire hazard in areas with flammable brush, grass, or trees?			X
10. NOISE. Would the proposal result in:				
	a) Increases in existing noise levels? (Construction and operation of facility will comply with Mono County Code 10.16, Noise Regulation)			X
	b) Exposure of people to severe noise levels?			X
11. PUBLIC SERVICES. Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:				
	a) Fire protection?		X	
	b) Police protection?			X
	c) Schools?			X
	d) Parks or recreational facilities?			X
	e) Maintenance of public facilities, including roads?			X
	f) Other governmental services?			X
12. UTILITIES AND SERVICE SYSTEMS. Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:				
	a) Power or natural gas?			X
	b) Communications systems?			X
	c) Local or regional water treatment or distribution facilities?		X	
	d) Sewer or septic tanks?		X	
	e) Storm water drainage? (See Mitigation Measures 1 and 2 under Water)		X	
	f) Solid waste disposal?			X
	g) Local or regional water supplies?			X

Issues & Supporting Information Sources	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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13. AESTHETICS. Would the proposal:

a)	Affect a scenic vista or scenic highway?				X
b)	Have a demonstrable negative aesthetic effect?		X		
c)	Create light or glare?		X		

14. CULTURAL RESOURCES. Would the proposal:

a)	Disturb paleontological resources?				X
b)	Disturb archaeological resources?		X		
c)	Affect historical resources?				X
d)	Have the potential to cause a physical change which would affect unique ethnic cultural values?				X
e)	Restrict existing religious or sacred uses within the potential impact area?				X

XVI. RECREATION. Would the proposal:

a)	Increase the demand for neighborhood or regional parks or other recreational facilities? (Project is not expected to induce population increase and will be used by current residents)				X
b)	Affect existing recreational opportunities?				X

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

a.	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?				X
b.	Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future)				X

Issues & Supporting Information Sources		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c.	Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)				X
d.	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

VI. DISCUSSION OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

All Potential Impacts, Potential Impacts Unless Mitigated, and Less Than Significant Impacts are discussed below. Some general discussion of the following issues are also included.

LAND USE AND PLANNING

Discussion

The project site is designated Commercial in the Mono County General Plan (MCGP) and zoned Commercial (C-District) in the Mono County Zoning and Development Code (MCZDC). Although use of land for a community center and library could be argued as compatible with the Commercial Land Use Designation, it is more explicitly allowed under the Public/Quasi-Public Facility Land Use Designation (MCGP, II-97). The proposed change in Land Use Designation from Commercial to Public Facility (Mitigation Measure 1) would address the potential of the project to conflict with the General Plan.

Although construction and operation of a public facility is permitted in the Commercial District (C-District) of the MCZDC with a use permit (19.03.050, 19.13.020), a zone change from C-District to Public Agency District, Mitigation Measure 2, is also proposed to assure zoning and General Plan consistency. The P-A District of the MCZDC (Chapter 19.19) provides for the use of publicly owned land having resource and recreational orientations, and community centers and libraries are subject to use permits under 19.19.030. Implementation of Mitigation Measure 3, issuance of a Use Permit, would assure compliance with the zoning code.

The proposed use of a community center and library are compatible with the surrounding uses of the land. Because community residents frequently use the Crowley Lake General Store and the church is a meeting place for many Crowley Lake residents, the proposed project site is already in a high-traffic area of the community. In addition, the proposed project site is in a group of parcels zoned Commercial and designated Commercial in the Mono County General Plan so that non-residential use of this area is already consistent with the General Plan.

Mitigation Measures

1. General Plan Amendment GPA 97-02 will be submitted to the Mono County Board of Supervisors for a change in the Land Use Designation of the proposed project site from Commercial to Public Agency.
2. District Zoning Amendment DZA 37-97-01 will be submitted to the Mono County Board of Supervisors for a change in the zoning from Commercial to Public/Quasi-Public Facility.
3. Use Permit Application UPA 37-97-01 will be submitted to the Mono County Planning commission for the construction of a community center and library under Chapter 19.19.030 of the MCZDC.

GEOLOGIC PROBLEMS

Discussion

The proposed project is located along the western boundary of the Long Valley Caldera (hazard zone Ib), an elliptical depression measuring 18 miles long by 11 miles wide, formed by a huge volcanic episode approximately 700,000 years ago (MEA Fig 36). The volcanic forces creating the Long Valley Caldera are still active today and are responsible for numerous seismic events annually.

The movement of magma in the Long Valley Caldera and tectonic subsidence during earthquakes has occurred in the Long Valley area such that the entire county is subject to ground shaking. The county has been designated as a seismic zone 4, the zone of greatest hazard defined in the Uniform Building Code. All buildings are required to meet standards in the Uniform Building Code Section 301 (A), Mono County Zoning and Development Code 15.04.070.A. No mitigation is required.

The Long Valley Caldera is extensively studied, making it possible to have long lead times before a volcanic event. The advanced warning would allow Mono County to enact its Multi-Functional Hazard Plan, which contains procedures for advance warning and evacuation. The volcanic hazard is no greater than currently posed to residents of the county. No mitigation is required.

The proposed project requires 40,660 sf of grading and 31,744 square feet of paving. Impacts to soil stability and geomorphological conditions due to excavation and grading will be Less than Significant because grading and earthwork will take place according to the Mono County grading ordinance and Lahontan Regional Water Quality Control Board guidelines (Mitigation Measures 1 and 2).

According to MEA Figure 15J the proposed project site property is located on Quaternary Alluvium. Soils developed from alluvium from the mountains in the county are typically coarse textured and highly permeable. The Preliminary Geotechnical Investigation for the Lakeridge Ranch Estates project found the soils composed primarily of non-expansive gravelly sands and silts (J.H. Klienfelder and Associates, 1979).

Another unique physical feature of the surrounding area is the potential for snow avalanches. Avalanche hazards have been mapped for the project area. Figure 37 F in the MEA shows the project site outside of historic avalanche areas.

Mitigation Measures

1. On-site grading and earthwork shall take place in conformance with Mono County Grading Ordinance (Mono County Zoning and Development Code 13.08) which contains standards for controlling site cleaning, drainage interference, earth work, and erosion.
2. Lahontan Regional Quality Control Board Project Guidelines for Erosion Control will be followed to prevent erosion and runoff from the site (Appendix 1).

WATER

Discussion

A riparian area along Whiskey Creek exists on the eastern portion on the property. The proposed project will be located away from the wetland area so that no disturbance to the riparian area will occur. The Mono County Zoning and Development Code (MCZDC) Chapter 19.03.130.D.7.a requires that new development be located at least 30 feet away from the top of the bank of any major or minor stream. Potential Impacts to the Whiskey Creek riparian area, and Mitigation Measures to prevent these impacts, are discussed below.

Potential Impacts

Increased surface runoff could be generated from the proposed paved area and could impact the riparian area between the project site and Whiskey Creek. Additionally, surplus, waste, and earthen materials generated during construction could be discharged into the adjoining riparian area during periods of precipitation or runoff. Discharges are not expected into Whiskey Creek and are not expected to cause changes in the quality, amount, or direction of water flowing through the creek. Impacts will be reduced to Less than Significant Levels with the implementation of the Mitigation Measures cited below.

Mitigation Measures

1. The project will be designed to avoid wetland areas by establishing a buffer zone between the wetland area and the edge of any pavement or building footprint. Catchment facilities will be incorporated into the project design to trap sheet flow from paved areas.
2. On-site grading and earthwork shall take place in conformance with Mono County Grading Ordinance (Mono County Zoning and Development Code 13.08) which contains standards for controlling site cleaning, drainage interference, earth work, and erosion.
3. Lahontan Regional Quality Control Board Project Guidelines for Erosion Control will be followed to prevent erosion of materials and runoff into the Whiskey Creek riparian area (Appendix 1).

TRANSPORTATION/CIRCULATION

Discussion

The proposed community center and library have the potential to increase traffic along South Landing Road. Projected vehicle use is estimated from traffic information on South Landing Road gathered by employees of Mono County, from the use of other libraries in Mono County, and from the use of the interim Crowley Lake Community Center. The information in Table 2 is discussed below.

Table 2 - Projected Peak Hourly Vehicle Use of South Landing Road after Construction of Crowley Lake Community Center and Library

<u>CURRENT PEAK USE ON SOUTH LANDING ROAD</u> ¹	<u>PROJECTED PEAK USE OF PROPOSED FACILITIES</u>		<u>PROJECTED TOTAL PEAK USE</u>	<u>PEAK USE CAPACITY</u> ⁴
average vehicle trips/hour/2 lanes ⁵				
	<u>Community Center</u> ²	<u>Library</u> ³		
89	30	10	129	1,400
Notes				
¹ Value obtained from vehicle counts performed on 7/24 and 7/25 1995 from 4:00 pm to 6:30 pm, a peak use period. The value is an average hourly rate, averaged over the two days.				
² Peak use estimated from current use of the interim Crowley Lake Community Center. The largest meeting currently held is attended by 30 people. 1 vehicle per person is assumed.				
³ Value obtained from the current use of the Library in Mammoth Lakes is a yearly average of 100 visits per day, open 10 hours per day.				
⁴ Personal communication, John Beck, Mono County Assistant Public Works Director.				
⁵ All numbers are rounded				

The proposed project is projected to generate a maximum total of 40 vehicles per hour at an estimated peak use. Measurements of current traffic on South Landing Road are limited and values vary depending on the time interval over which traffic was counted and the day of the year on which traffic was counted; the value reported for current peak use of South Landing Road is the one of the highest measurements that the County has recorded. Table 2 presents a worst-case scenario, and, although it projects a 45% increase in the traffic on South Landing Road, it is unlikely that the road will receive the projected use the majority of the time. The figure for library use is from the Mammoth Lakes Library that serves a much larger community than Crowley Lake. In addition, use of the library will primarily occur during the day and use of the community center, based on use of the interim community center, will primarily occur during the evening.

The traffic capacity of South Landing Road, a two-lane rural highway with no shoulder and a speed limit of 35 miles per hour, is 1,400 vehicles per hour. The total projected peak hourly vehicle use after construction of the proposed project will not exceed the traffic capacity of South Landing Road.

Chapter 19.29 of the Mono County Zoning and Development Code (MCZDC) contains the parking standards for development in Mono County. The MCZDC requirement for uses such as a community center is not less than 1 space for each one hundred square feet of the largest meeting room. The MCZDC specifies that the parking requirement for libraries is to be determined by the planning commission. The library parking requirement shown in Table 3 was adapted from the requirement for community centers. The total parking spaces required are 39 so that the 79 parking spaces provided in the project design is sufficient to meet the parking requirements. The parking requirements are summarized in Table 3.

Table 3 Parking Requirements for Cumulative Project

Use	Parking Standard	Parking Spaces Required ¹
Community Center	1 space/ 100 sf of the largest meeting room	25
Library	none specified ²	14
Total		39
Notes		
¹ All numbers are rounded.		
² Parking space requirement for the library was calculated as 1 space/100 sf of the multi-media room (500 sf), the stacks (273 sf), and the newspaper and magazine room (460 sf), combined (A total of 1233 sf). 2 spaces for staff were also included.		

BIOLOGICAL RESOURCES

Discussion

The proposed project site is currently vacant, and covered with Basin Sagebrush Series vegetation (MEA Figure 29J). There has been some disturbance on the site, including removal of Basin Sagebrush vegetation. The loss of this vegetation type on the site is not considered significant because the site does not represent high quality habitat and is limited in size; the project site is surrounded on three sides by developed property including a church, a general store, and residences, and Basin Sagebrush Series vegetation is abundant on a local and regional scale.

The MEA does identify this area as containing habitat and use corridors for some animal and plant species. Additionally, the eastern edge of the property includes some riparian vegetation that borders Whiskey Creek. See Potential Impacts below.

Potential Impacts

Animals

MEA Figure 28 J shows the proposed project site occurring in Potential Habitat for Owens tui chub (*Gila bicolor snyderi*) which has Endangered status with the U.S. Fish & Wildlife Service (USFWS) and with the California Department of Fish & Game (CDFG). CDFG has verified that there is a tui chub population in Whiskey Creek consisting of a hybrid between the Owens tui chub and the Lahontan tui chub (personal communication, Bruce Kinney, Bishop Office, CDFG). This hybrid does not have endangered status with USFWS or CDFG. No mitigation is required.

MEA Figure 32 J indicates that the project area falls within a mule deer migration corridor, deer critical habitat, and a deer holding area. MEA Figure 30J shows heavy deer use in the project area. However, the Lakeridge Ranch Estates Mule Deer and Wildlife Assessment Study completed in June 1994 (Taylor, June 10 1994), did not observe evidence of migration activity in the study area that is located approximately 1/4 mile east and northeast of the proposed project site. The study did find evidence for the presence of a small number of summer resident deer and identified the permanent water course of Whiskey Creek as potential fawning and fawn rearing habitat for a small number of mule deer does. Because the proposed development is small and is already developed on three sides, the proposed project site is not considered high quality mule

deer habitat. Additionally, the proposed facility will be located away from the Whiskey Creek riparian corridor.

The Lakeridge Ranch Estates subdivision, east of Whiskey Creek and of the proposed project site, is not yet under construction so still provides suitable habitat for the animals identified in the Lakeridge Ranch Estates Mule Deer and Wildlife Assessment Study. This study identifies some general impacts that could disturb wildlife use of areas adjacent to construction in the Lakeridge Ranch Estates project area. Some of the cited impacts to the Whiskey Creek riparian area and the Basin Sagebrush habitat on the east side of the creek could also result from construction and use of the facility proposed in this document. These include disturbance of wildlife from construction noise, impacts of night lighting which could illuminate wildlife movement corridors, and night activities that could disturb nocturnal wildlife species. Impacts will be reduced to a Less than Significant Level by Mitigation Measures 1, 2, and 3.

Plants

MEA figure 28 J shows the project area containing potential habitat for Mono buckwheat (*Eriogonum apmullaceum*) which is on the USFWS candidate list and at one time was on the California Native Plant Society 1B list. However, the California Native Plant Society (CNPS) Inventory of Rare and Endangered Vascular Plants of California notes that Mono buckwheat was considered for inclusion but was rejected as being too common (CNPS 1994). No mitigation is required.

Wetland Habitat

A Mono County Wetlands Delineation was prepared for the Lahontan Regional Water Quality Control Board (Curry, September 30 1996). Plate 2 appears to delineate the Whiskey Creek riparian area that occurs on the proposed project site as Distinct Long-Persistent Wetland. Potential Impacts to this wetland habitat, and Mitigation Measures proposed to reduce the impacts to Less than Significant, are discussed in the Water section.

Mitigation Measures

1. Construction activities shall be scheduled during daytime hours to reduce disturbance to nocturnal wildlife species.
2. Impacts from night lighting shall be minimized by adequately screening lights that could potentially illuminate wildlife movement. All lighting will be shielded and directed downward to minimize illumination of specific areas.
3. Construction and use of the proposed facility will comply with Mono County Code 10.16 Noise Regulation which limits exterior noise levels.

PUBLIC SERVICES

Discussion

The proposed project, in conjunction with current uses, could increase requirements for fire protection. The proposed project is within the Long Valley Fire Protection District. The project must ensure that there is adequate water available for fire protection and that adequate safety provisions for buildings classified as Public Assembly are provided. Impacts will be reduced to less than significant levels with implementation of the Mitigation Measure cited below.

Police protection is provided by the Mono County Sheriff's Office. Minimal impacts to the level of police service are anticipated due to use of the facility by current residents.

Because the proposed project is not expected to induce an increase in population, there will be no impact on local schools, parks, or recreational facilities.

Mono County will be responsible for maintenance of the facility.

Mitigation Measure

1. A "will serve" letter from the Long Valley Fire Protection District will be obtained before construction begins.

UTILITIES AND SERVICE SYSTEMS

Discussion

GTE will provide telephone service. Southern California Edison will provide electricity. Hilton Creek Community Services will provide sewer service. Mountain Meadows Water Company will provide domestic water service. Solid waste disposal will be provided by a private contractor. Use of these services are not considered to represent a significant impact on these utilities. However, "will serve" letters will be obtained to ensure that water and sewer services can be provided (Mitigation Measures 1 and 2).

All proposed utilities such as electricity, telephone, and other utilities will be installed underground as required in the Mono County Zoning and Development Code (MCZDC) 19.03.070 D.

Mitigation Measures

1. A "will serve" letter will be obtained from the Hilton Creek Community Services District for sewer service.
2. A "will serve" letter will be obtained from Mountain Meadows Water Company for water service.

AESTHETICS

Discussion

Objective C of the Mono County General Plan Conservation/Land Use Element requires that development is visually compatible with the surrounding community. Impacts will be Less than Significant with implementation of the Mitigation Measures cited below.

Mitigation Measures

1. The proposed project will require outdoor lighting during evening hours of operation. The proposed lighting will be low intensity and screened from adjoining uses.
2. All proposed signage will meet the Mono County Zoning and Development Code 19.35 "Signs."
3. A landscaping plan will be required. All site disturbances shall be revegetated with a mix of indigenous species native to the site.
4. The visual impacts of parking areas shall be minimized through the use of landscaping, covered parking, siting which screens the parking from view, or other appropriate measures.

5. The design, color, and building materials for structures, fences, and signs shall be compatible with the natural environment and/or surrounding community.
6. Reflective materials will not be used or use will be minimized.

CULTURAL RESOURCES

Discussion

The MEA does not identify any archaeological resources in the project area. However, minor archaeological sites and artifacts were found in the nearby Lakeridge Ranch Estates property (Trans Sierra Archaeological Research, letter from Jeff Burton, October 15 1994). The Mono County General Plan Conservation/Open Space Element Goal is to preserve, restore, and interpret cultural resources. Any impacts will be reduced to a Less than Significant level with the implementation of Mitigation Measure 1, cited below.

Mitigation Measures

1. Work shall be stopped and appropriate agencies will be notified if archaeological evidence is encountered during earthwork activities. No disturbance of an archaeological site shall be permitted until such time as a qualified consultant is hired and an appropriate report is filed with the County Planning Department which identifies acceptable site mitigation measures.

VII. REFERENCES

- California Native Plant Society, 1994. California Native Plant Society's Inventory of Rare and Endangered Vascular Plants of California. Mark W. Skinner and Bruce M. Pavlik, Editors. Special Publication No. 1, Sacramento, CA.
- Curry, Robert R., September 30 1996. Development of Specific Plans and Policies to Avoid or Mitigate the Impacts of Future Development in Certain Mono County Wetlands. Prepared for: California Regional Water Quality Control Board, Lahontan Region. Contract No. 4-075-160-0.
- Federal Emergency Management Agency, Flood Insurance Rate Map, Panel 169, August 19, 1985.
- J. H. Kleinfelder & Associates, 1979. Preliminary Geotechnical Investigation for an Approximately 80-Acre Crowley Lake Parcel, Mono County, California. Lakeridge Ranch Estates Draft Specific Plan and Environmental Impact Report, prepared by Laurie Mitchel, Planning Consultant, Mono County Planning Department, March 1995.
- Mono County Zoning and Development Code 1994.
- Mono County General Plan 1993.
- Mono County Master Environmental Assessment (MEA) 1993.
- State of California, Earthquake Fault Zones, SW1/4 Casa Diablo Mtn.
- Taylor, Timothy, June 10 1994. Lakeridge Ranch Estates Mule Deer and Wildlife Assessment Study Draft Report. Lakeridge Ranch Estates Draft Specific Plan and Environmental Impact Report, prepared by Laurie Mitchel, Planning Consultant, Mono County Planning Department, March 1995.
- Trans-Sierra Archaeological Research, letter from Jeff Burton, concerning the Hilton Creek Field Review, October 15 1994. Lakeridge Ranch Estates Draft Specific Plan and Environmental Impact Report, prepared by Laurie Mitchel, Planning Consultant, Mono County Planning Department, March 1995.

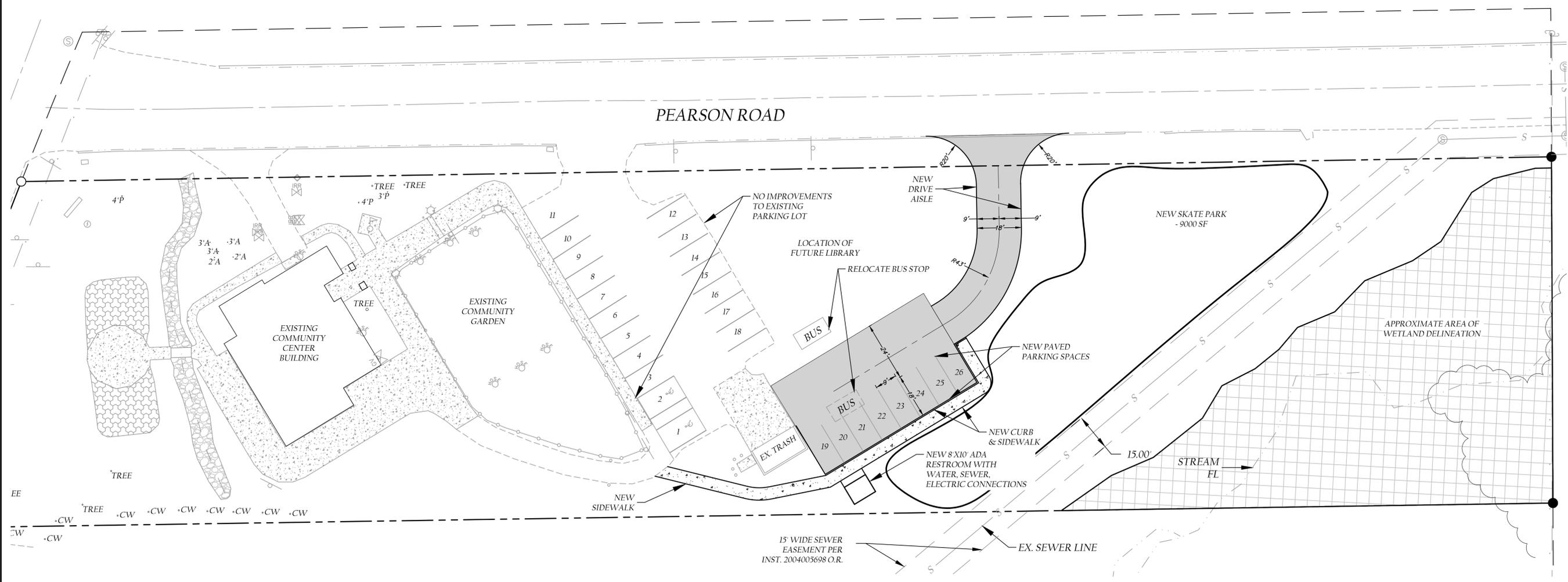
VIII. APPENDIX 1**Project Guidelines for Erosion Control
California Regional Water Quality Control Board, Lahontan Region**

In the interest of protecting surface water quality from unnatural or accelerated erosion caused by land development, the following guidelines shall be followed:

1. Surplus or waste material and/or fill of earthen material shall not be placed in drainage ways or within the 100-year flood plain of any surface water, except where authorized by this permit.
2. All loose piles of soil, silt, clay, sand, debris, or other earthen materials should be protected in a reasonable manner to prevent the discharge of these materials to waters of the State.
3. After completion of a construction project, all surplus or waste earthen materials should be removed from the site and deposited in an approved disposal location or stabilized onsite.
4. Dewatering should be done in a manner so as to eliminate the discharge of earthen materials from the site.
5. Where possible, existing drainage patterns should not be significantly modified.
6. Drainage swales disturbed by construction activities should be stabilized by appropriate soil stabilization measures to prevent erosion.
7. All non-construction areas should be protected by fencing or other means to prevent unnecessary disturbance.
8. During construction, temporary gravel, hay bale, earthen, or sand bag dikes and/or nonwoven filter fabric fence should be used as necessary to prevent discharge of earthen materials from the site during periods of precipitation or runoff.
9. Runoff from impervious surfaces shall be treated or contained onsite for up to and the including a 20-year, 1-hour storm. Runoff leaving the project site must meet specific constituent levels prior to discharge to storm drainage systems or natural watercourses.
10. Revegetated areas should be continually maintained in order to assure adequate growth and root development. Erosion control facilities should be installed with a routine maintenance and inspection program to provide continued integrity of erosion control facilities.
11. Waste drainage waters in excess of that which can be adequately retained on the property should be collected before such waters have a chance to degrade, and should be treated, if necessary, before discharge from the property.
12. Where construction activities involve the crossing and/or alteration of a stream channel, such activities require a prior written agreement with the California Department of Fish and Game and should be timed to occur during the period in which stream flow is expected to be lowest for the year.

CROWLEY LAKE COMMUNITY CENTER

MASTER SITE PLAN - PHASE I - SKATE PARK FACILITIES



PARKING REQUIREMENTS

COMMUNITY CENTER
PUBLIC ASSEMBLY
NO LESS THAN 1 SPACE FOR EACH 100 SF OF LARGEST ROOM
LARGEST ROOM = 1500 SF
--> REQUIRE 15 SPACES

SKATE PARK
FOR USES NOT SPECIFICALLY MENTIONED, PLANNING COMMISSION SHALL DETERMINE
PROVIDE 8 SPACES
REMAINDER TO BE PROVIDED AS NON-OVERLAPPING JOINT USE WITH COMMUNITY CENTER/LIBRARY

ACCESSIBLE SPACES
NEED 1 SPACE UP TO 25 TOTAL SPACES
NEED 2 SPACES FOR 26 OR MORE

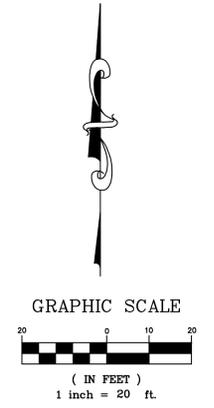
TOTAL REQUIRED = 15+8 = 23 SPACES WHICH INCLUDES 1 ADA SPACES

PARKING PROVIDED

26 SPACES PROVIDED INCLUDING 2 ADA SPACES
FOR ELEVATION < 7000', CAN USE 9'X18' SPACES

LEGEND

-  NEW ASPHALT PAVEMENT
-  EXISTING CONCRETE
-  NEW CONCRETE
-  NEW LANDSCAPE AREA
-  WETLAND DELINEATION



LIBRARY & SKATE PARK MASTER PLAN

CROWLEY LAKE COMMUNITY CENTER

PREPARED FOR: MONO COUNTY DEPARTMENT OF PUBLIC WORKS

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REVISIONS	BY

DATE 11/16/2015
SCALE 1"=20'
DRAWN MS
JOB NO. 1.4079
DWG 4079layout-phase1.dwg
SHEET 1
OF 7 SHEETS

user:machubar <<C:\D...impadab>> K:\01 Mammoth 4079 Crowley Lake Community Center\4079layout-phase1.dwg Nov 16, 2015, 11:03am

Exhibit 3

**Delineation of Wetlands
at the Community Center Parcel,
Crowley Lake, California**

Prepared for:

U.S. Army Corps of Engineers
Los Angeles District
2151 Alessandro Drive, Suite 255
Ventura, CA 93001
Contact: Bruce Henderson

Prepared by:

Jim Paulus
P.O. Box 2657
Oakhurst, CA 93644
(760) 937-7177

Mono County Public Works Dept.
P.O. Box 457
Bridgeport, CA 93517
Contact: Vianey White
(760) 932-5440

July 2014

This document should be cited as:

Paulus, J 2014. Delineation of Wetlands at the Community Center Parcel, Crowley Lake, California. Prepared for U.S. Army Corps of Engineers, Los Angeles District, Ventura, CA. Prepared by J. Paulus, Oakhurst, CA, and Mono County Public Works Dept., Bridgeport, CA.

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U.S. Army Corps of Engineers Verification Request Letter

Mr. Bruce Henderson
U.S. Army Corps of Engineers
2151 Allesandro Dr., Suite 100
Ventura, CA 93001

Re: Delineaton of Wetlands for the Crowley Lake Community Center Parcel

Dear Mr. Henderson:

Jim Paulus of Oakhurst, CA, in conjunction with the Mono County Public Works Department, has prepared a draft wetland delineation report and delineation map for the subject parcel. The property is proposed for development as the Crowley Lake Community Center Parcel.

The site is within the City of Crowley Lake, California, and lies to the south of U. S. Highway 395 at the southern edge of Pearson Road. The parcel's current owner is the Community of Crowley Lake.

A total of 0.32 acres of wetlands were mapped using the methodology deccribed in the 1987 U. S. Army Corps of Engineers Wetland Delineation Manual and the 2008 Arid West Manual. The proposed project will r entirely within upland areas and will occucompletely avoid the 0.32 acres of potentially jurisdictional wetland. Submitted with this letter are:

- a. the draft wetlands delineation report
- b. wetland delineation map
- c. overlay map showing footprint of proposed project

Dr. Paulus will be contacting your office to schedule a field visit to verify the delineation.

Sincerely,

Vianey White
Project Director
Mono County Public Works

attachments
cc Jim Paulus

Executive Summary

A parcel located along Whisky Creek within the Town of Crowley Lake is proposed for development as Community Center recreational facilities. Based upon this project's description, direct impact through ingress or placement of fill material into Waters of the United States will not occur. Furthermore, with the placement of construction fencing and sediment barriers, and direction of facility runoff away from on-site plant communities classified as Willow Riparian Scrub, Wet Montane Meadow, or Dry Montane Meadow, the project will not affect the function or water quality of Whisky Creek or its associated wetlands. Therefore, no Waters will be affected. As evidence that the project will avoid all potentially jurisdictional Waters, a thorough documentation of the parcel's wetland resources has been completed, as described in this report and attached map.

The total area of the parcel where development is proposed is 2.06 acres. About half of this area has already been converted into a meeting hall and paved parking lot. A total of 0.32 acres of potentially jurisdictional wetlands were mapped within the parcel at its eastern edge, in association with Whisky Creek. Potentially jurisdictional ditches, swales, or other conveyances are not otherwise present. Table 1 groups the potentially jurisdictional acres by plant community type, using the community names whose boundaries are depicted on the delineation map that was produced in July 2014.

Table ES - 1. Jurisdictional wetland acreages at the Community Center Parcel, Crowley Lake, California. Community names are taken from Holland (1986).

<u>Plant Communities Dominated by Wetland Plants</u>	<u>Acreage</u>
Willow Riparian Scrub	0.05
Wet Montane Meadow	0.03
Dry Montane Meadow	0.24
Potentially Jurisdictional Acreage	0.32

Based upon the project description as has been proposed, construction and facility operations will impact only upland portions of the parcel that are currently disturbed or covered by Great Basin Mixed Scrub. Areas mapped as devegetated-disturbed, or where the remaining native vegetation was classified as Great Basin Mixed Scrub, failed to meet Arid West criteria for prevalence of hydrophytic vegetation, for presence of hydric soil, and for presence of wetland hydrology.

Section 1. Introduction

This report and attached map document the delineation of wetlands at the site of the Community Center parcel at Crowley Lake, California (“study area”). The project proponent has determined that the parcel may include Waters of the United States, including wetlands, which are under the jurisdiction of the U.S. Army Corps of Engineers (Corps) pursuant to Section 404 of the Clean Water Act. This report was prepared in order to document the extent of Waters of the United States within the parcel, and to demonstrate that the proposed project will not affect any of the potentially jurisdictional area.

Site Location and Description

The parcel proposed for development as Community Center recreational facilities is within the town of Crowley Lake, California (Figure 1). The average elevation of the study area is 6918 ft. U.S. Highway 395 lies north of the property, Pearson Road is at the immediate north edge of the parcel, and South Landing Drive lies along the western edge. The town of Crowley Lake, including the subject parcel, is situated on a long, sloping alluvial plain extending between the Sierra Nevada crest to the south and Crowley Lake Reservoir to the north. Whisky Creek, a perennial braided streamcourse, originates in the nearby Sierra Nevada then briefly traverses the study area as it flows to the reservoir. Existing community meeting hall and parking lot facilities have replaced all native vegetation within the western half of the parcel, while the eastern portion including the Whisky Creek corridor retains some native character. But native plant communities at the Community Center parcel are currently best characterized as fragments that are surrounded and isolated by the existing developments on lands to the immediate north, west and south. The only open space abutting the parcel is associated with Whisky Creek as it passes to the east and intersects the parcel’s eastern edge.

Background Information

The alluvial plain on which the project area and the current town of Crowley Lake lie is watered by Whisky Creek. This perennial flow, which traverses an otherwise arid landscape, historically has provided reliable water and forage and thus been a focus of human activities. The long-term pattern of land settlement in the Whisky Creek area reflects the situation that private development opportunities are often found along privately owned streamcourses in the Town of Crowley Lake. Although Crowley Lake is a small town, the historic and current development pattern has fragmented riparian corridor habitats generally. The riparian zone that intersects the study area is part of one of the largest relatively undisturbed corridor fragments remaining at Whisky Creek. The habitat is frequently used by residents of the surrounding developments as pedestrian-friendly green space.

The most recent disturbance regime has also included elements of pasture management and construction of Pearson Road within adjoining lands. Pasture was the predominant historical

use of the grassy meadows that closely track Whisky Creek, including the reach that crosses the study area. Crowley area riparian meadow habitats generally would be restricted to narrow corridors, but water spreading has been used to increase the availability of valuable forage resources on many reaches (Curry, 1996). Water spreading practice may have been historically applied in the general area of the current investigation, but evidence of irrigation ditches were not found within the study area in 2014 or seen in aerial photographs dating back to 1970. The construction of Pearson Road along the northern edge of the parcel included culverts to conduct Whisky Creek flows. These culverts are located offsite to the east. Whisky Creek within the study area flows in an unlined, narrow, and shallowly incised channel that enters and exits near the southeastern corner of the parcel (Figure 2). Average depth to top of bank is 1 ft, average banktop to banktop width is 2 ft. No other streams, ditches or other surface water conveyances occur on the property.

Whisky Creek arises primarily from large springs located well offsite to the west. The mountain block recharge that supports this flow may buffer its responsiveness to local drought as experienced in (2013-)2014. Whisky Creek flows to Crowley Lake Reservoir, which is operated by management of a long-standing dam on the Owens River. In prior permitting actions, the Owens River has been considered a Waters of the United States by the Corps. As such, Whisky Creek and its adjacent wetlands would be tributary to a Waters of the United States.

Ecological Setting

The study area is located on an alluvial fan at the base of the eastern escarpment of the Sierra Nevada. The high mountains to the west cause a rain shadow effect upon the climate. Precipitation of 9-12 inches annually (NRCS, 1996), mostly as snow in winter, is sufficient to support a low scrub vegetation in upland settings. There are also occasional patches of juniper or pine forest. Whisky Creek, which is primarily spring-driven, thus flows through an otherwise arid environment. Soils in this region are generally coarse and poorly developed, except in wet places where organic matter can accumulate under anaerobic conditions (Curry, 1996). The landform of the Whisky Creek area has been described as "fan piedmont" by Tallyn (1992).

The frost-free period is 115-140 days (NRCS, 1996). The growing season begins on about May 1, near the time of peak runoff, and lasts 150-180 days. For upland vegetation, the May-October period is a dry season that can be interrupted irregularly by monsoon rains, and can include many days when freezing temperatures occur. The upland scrub vegetation in this area would be subject to considerably more variation in the length of seasonal drought, in comparison to riparian vegetation. Riparian wetlands associated with Whisky Creek likely provide a buffer to drought through groundwater recharge and storage during dry seasons or years.

Meadow vegetation is currently well developed where it intersects the study area. The species present (Appendix A) are common in plant communities that are found at springs and streams in the Crowley-Long Valley region. The Whisky Creek banks exhibit no evidence of any recent or intense use by livestock. Long-term livestock defecation and trampling, however, degrades wetland soil structure and alters fertility for many years, and this type of disturbance is or was usually intense at watercourse margins in the Owens River Basin (Curry, 1993). The local meadow's history of livestock pasture use probably remains influential upon the ecological structure and composition of its plant communities. For example, the hydrophytic tree canopy

layer that may be expected from observing other streamcourses in the area is nearly absent where Whisky Creek crosses through the study area. Meanwhile, exotic forbs and forage grasses have been introduced, deliberately or accidentally, and have become naturalized in the meadow.

Disturbance did not appear to have a significant influence on the outcome of this study. Mechanically disturbed soil (lacking a profile) was found only in the upland area of the site. No atypical situations were recorded at soil pits used to delineate the wetland-upland edge. While the hydrology of Whisky Creek that functions to fill its channel and inundate adjacent areas may be somewhat affected in 2014 by recent below-average winter precipitation in mountain recharge areas to the west, a bank-full condition was present at the time of sampling. Overall, it can be concluded that normal circumstances prevailed with regard to vegetation, soil, and hydrology at wetlands within the study area at the time of investigation.

Section 2. Delineation Terminology and Methods

Terminology Used In This Report:

Atypical situation (significantly disturbed). In an atypical (significantly disturbed) situation, recent human activities or natural events have created conditions where positive indicators for hydrophytic vegetation, hydric soil, or wetland hydrology are not present or observable.

Frequently. This term refers to hydrologic or climatic events that have a recurrence interval, on average, of once every two years or less.

Growing season. The growing season is the portion of the year when soil temperatures rise above biological zero (41° F) as defined by soil taxonomy.

Hydric soil. Soil is hydric when it is saturated, flooded, or ponded on the surface long enough during the growing season to develop anaerobic conditions (depleted of oxygen) in the upper vadose zone (ie., within the shallow rooting zone of herbaceous plants).

Jurisdictional wetland. Areas that meet the definition of wetland (see below) and fall under the Corps regulations pursuant to Section 404 of the Clean Water Act are considered jurisdictional wetlands.

Normal circumstances. This term refers to the soil and hydrologic conditions that are normally present, without regard to whether the vegetation has been removed.

Normal conditions. Normal conditions are the prevailing climatic conditions that are indicative of the long term average and that have a frequency of occurring within two years.

Ponded. Ponding is the condition where free water covers the soil surface until it is removed by percolation, evaporation or transpiration.

Prevalence of hydrophytic vegetation. Hydrophytic vegetation is prevalent when more than 50% of the dominant plant species within a habitat are hydrophytic species, as classified by Corps (2012) as "facultative", "facultative wetland", or "obligate wetland" species.

Saturated soil. A saturated soil condition is one in which all easily drained spaces between soil particles are temporarily or permanently filled with soil water. Saturation during the growing season is considered significant if it is evidenced to last longer than one week.

Wetland. Wetlands are defined as "areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions" (33 CFR 328.3[b], 40 CFR 230.3). To be considered under federal jurisdiction, a wetland must support positive indicators for three parameters: prevalence of hydrophytic vegetation, hydric soil, and wetland hydrology.

Wetland hydrology. Wetland hydrology is permanent or periodic inundation or saturation by groundwater sufficient to create anaerobic conditions in the soil.

Wetland indicator status. Wetland indicator status describes the probability for each identified plant species to occur in habitats that qualify as wetlands in the Arid West Region, as determined by Corps (2012). For each species, indicator status will be one of the following:

obligate wetland (OBL) - almost always (>99% probability) occurs in wetlands,

facultative wetland (FACW) - usually (66-99% probability) occurs in wetlands,

facultative (FAC) - equally likely to occur in wetlands or non-wetlands (34-66% probability of occurrence in wetlands),

facultative upland (FACU) - usually occurs in uplands, but occasionally (1-33% probability) occurs in wetlands,

obligate upland (UPL) - almost never (<1% probability) occurs in wetlands

Wetland Field Methods

Delineation field work at the study area was conducted in July 2014. All field work to identify plant species, map plant communities, and collect and interpret soil samples was done by J. Paulus, consulting wetland scientist (Oakhurst, California), for the Mono County Public Works Department (Bridgeport, California).

A botanical survey was performed on July 7 in order to provide a description of the vegetation types of the study area and search for populations of potentially occurring sensitive plant species as listed by CDFW (2014a, 2014b). Occurring plant communities were identified using California Natural Diversity Database (CNDDDB) descriptions (Holland, 1986), with cross-referencing to the most recent CDFW list of associations (CDFG, 2010). A list of all species encountered was compiled by community type (App. A), using the nomenclature of the Jepson Manual (Baldwin, *et al.*, 2012). Each species was classified by Arid West wetland indicator status (Corps, 2012). The search for rare plants conformed to methodology given by CDFW (CDFG, 2009).

No rare plant populations were detected in 2014. No previously documented on-site or nearby occurrences were found in the review of local literature and CNDDDB records (CDFW, 2014c). Potentially occurring rare plant species are Lemmon's milkvetch, upswept moonwort, scalloped moonwort, Inyo County star tulip, western single-spiked sedge, subalpine fireweed, small-flowered grass of Parnassus, scalloped-leaved lousewort, slender-leaved pondweed, and marsh arrow-grass (Mono County, in prep.) All would be expected to be exhibiting leaves and flowers (or sporangia), young fruit, and possibly mature fruit at the time of the survey. None of the occurring plant communities is listed as sensitive by the State of California (CDFW, 2010).

A transect approach was used to determine whether soil hydric indicators and wetland hydrology also changed across the observed boundary between the predominantly FAC, FACW and OBL species of the Dry Montane Meadow community and the predominantly upland Great Basin Mixed Scrub community (Figure 2). Sample points were located along each transect to survey the species composition, and check for indicators of wetland hydrology and hydric soil, with a spacing of 10 ft to 50 ft between points on three transects. More points were added where the vegetation transition was less distinct, as suggested in federal wetland delineation guidelines (Corps, 1987). Hydrology and soil indicators were sampled and interpreted using the Arid West Supplement methodology (Corps, 2008a), and the ordinary high water mark (OHWM) presence determined using guidelines that are given in the Arid West OHWM Manual (Corps, 2008b). Plant species' relative frequencies and the total living cover at each sample point were recorded for use in identifying the community type that was present. Surface ponding, and signs of recent surface ponding or surface flows (*e.g.*, rafted debris, high water marks on vegetation) were noted within 25 ft. of each sample point. Finally, a 24 to 30 inch soil pit was dug at each sample point. Each horizon encountered was described, including Munsell color and indications of soil hydric status (*e.g.*, mottling, redox depletions) and wetland hydrology (*e.g.*, oxidized root zones). Data was recorded using a standard format (App. B).

Field measurements of community boundaries were transferred to a topographic site map (1 ft contours shown), dated April 30, 2014. This base map (1 inch:100 ft) was then used to map the delineated wetland boundary, which equates the outer wetland edge with the vegetation transition from Dry Montane Meadow to Great Basin Mixed Scrub (Figure 3), based upon the reasons given in Section 3 of this report.

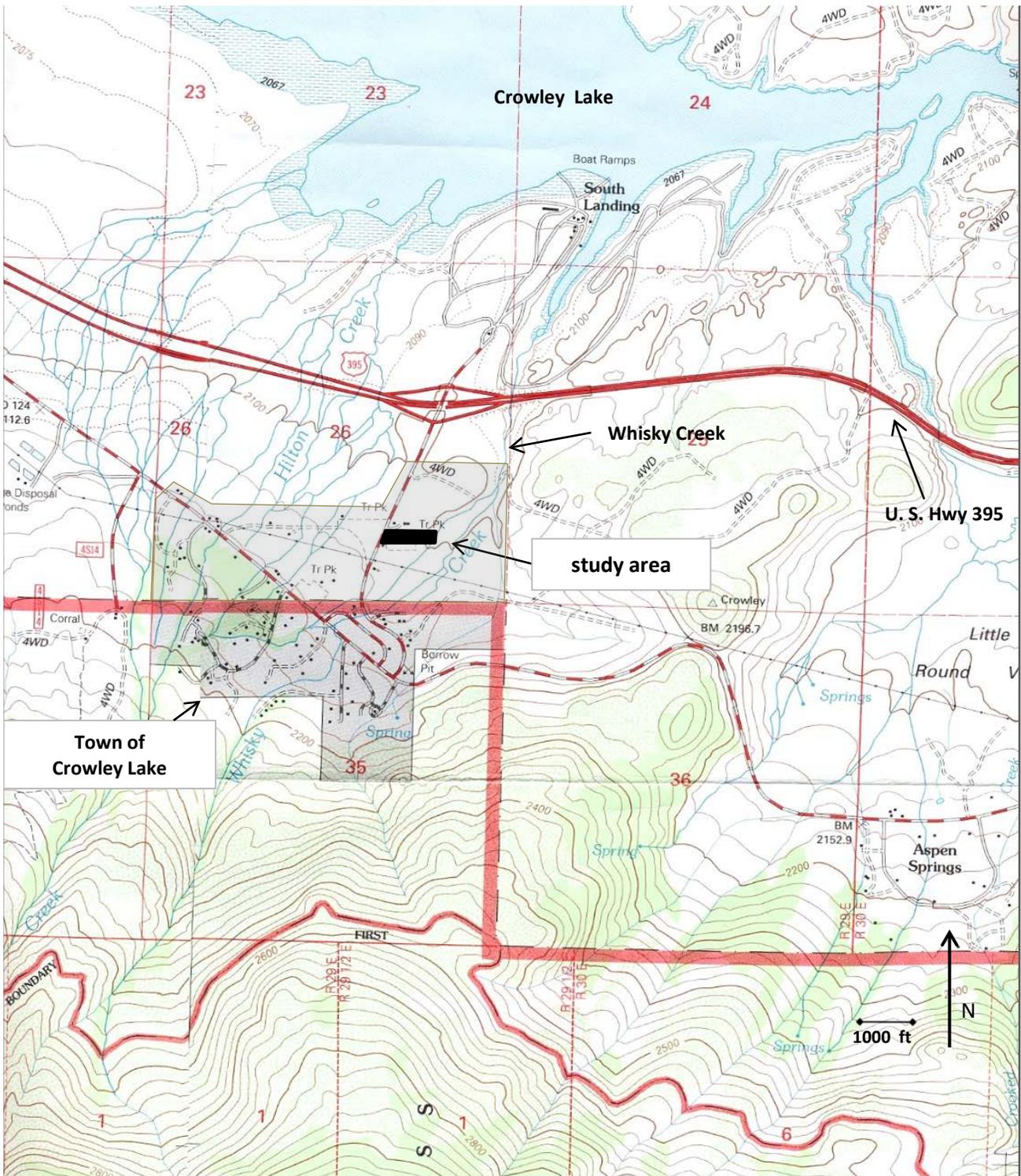


Figure 1. Location of the Community Center parcel in the town of Crowley Lake, Mono County, California. The average elevation of the 2.06 acre study area is 6918 ft. Whisky Creek intersects the study area above the stream's confluence with the Crowley Lake reservoir.

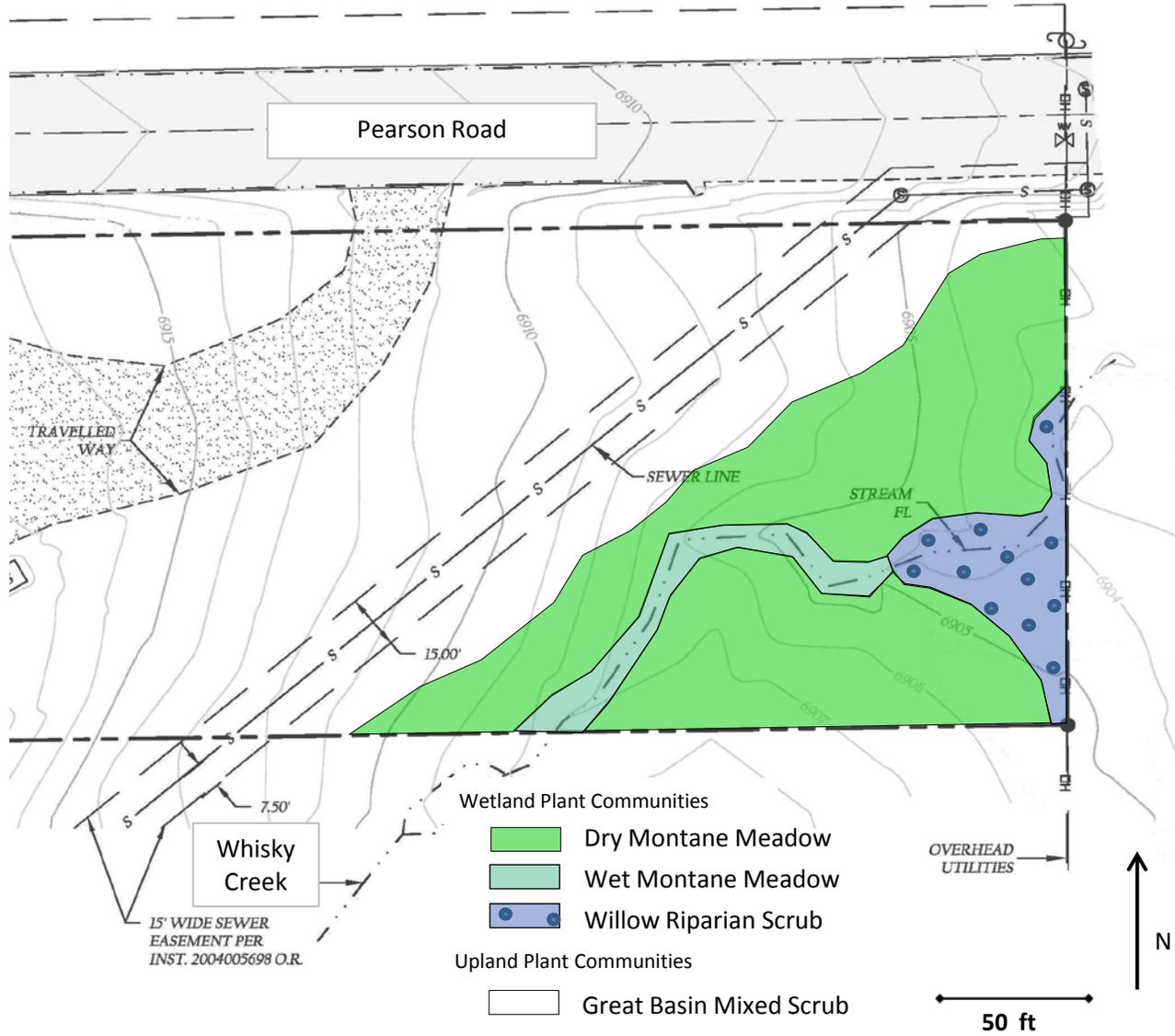


Figure 2. Eastern portion of the Community Center Parcel, where native vegetation has not been replaced by facilities. Plant communities present in July 2014 at the Community Center parcel include wetland types Dry Montane Meadow, Wet Montane Meadow, and Willow Riparian Scrub. Upland vegetation is classified as Great Basin Mixed Scrub.

Section 3. Results: Jurisdictional Wetlands

Wetland Vegetation Types

Three plant communities were identified within the project area as having a prevalence of hydrophytic vegetation, based upon the 2014 botanical survey. At Whisky Creek, permanently and semi-permanently flooded areas of slightly lower elevation, and immediately adjacent bands of meadow, are densely covered (80-100% total living cover) with an assemblage classified as Wet Montane Meadow. Areas of slightly higher elevation that are located between Wet Montane Meadow and upland scrub are more sparsely covered (40-80% total living cover) by vegetation classified as Dry Montane Meadow. Each of these communities is diverse, and some dominant species are present in both (App. A). Each appears mainly as a low herb stratum. Wet Montane Meadow, however, includes small, widely scattered willow trees, while Dry Montane Meadow includes embedded small patches of shrubs (rubber rabbitbrush, wild rose). Elsewhere, shrubby willows and wild rose become dominant and form a dense but relatively low-growing, deciduous canopy (about 70% living tree canopy closure) classified as Willow Riparian Scrub (Figure 2). The understory composition at Willow Riparian Scrub (60-80% total living herbaceous cover) also includes Wet Montane Meadow and Dry Montane Meadow species. All of the communities associated with wetlands at the Community Center parcel (Table 1) are widespread and are often associated with wetlands in the Crowley area (Mono County, 2014).

Table 1. Potential Waters of the United States, including wetlands, at the Community Center parcel, Crowley Lake, California, grouped by vegetation type present. Vegetation types are taken from Holland (1986).

<u>Wetland Habitat Type (Plant Community)</u>	<u>Acreage</u>
Willow Riparian Scrub	0.xx
Wet Montane Meadow	0.xx
Dry Montane Meadow	0.xx
Total Jurisdictional Acreage	x.xx

The fragment of remaining upland community at the study area was classified as Great Basin Mixed Scrub. This community is dominated by upland shrub species (20-30% total living cover). This community is not grassy, in contrast to the wetland communities. It occurs adjacent to Dry Montane Meadow, but not Wet Montane Meadow or Willow Riparian Scrub. Great Basin Mixed Scrub is readily distinguishable from all these wetland communities by texture, color and

growth form, in addition to species composition. Wetlands at the Community Center parcel are thus visually distinguishable from adjacent upland habitat. The boundary between wetland and non-wetland vegetation is abrupt. Within the entire study area, this occurs at the consistently narrow Dry Montane Meadow – Great Basin Mixed Scrub ecotone.

Willow Riparian Scrub. This streamside community is clearly dominated by a dense growth of willows. The willows (mainly *Salix geyeriana*, also *S. lutea*, *S. lasiolepis*) are obligate wetland or facultative wetland species in the arid west (Corps, 2012). Average cover provided by the tree canopy is 70%, and typically upland or facultative upland species are not present in the stratum. Understory vegetation also occurs densely in Willow Riparian Scrub. Dominant species similarly occur as dominants or sub-dominants in Wet Montane Meadow and Dry Montane Meadow. The absence of rafted debris indicates that at least in 2014 Whisky Creek’s surface water depth did not exceed the incised channel in the study area reach where this community occurs. The soil surface to a depth of about 12 inches was not saturated at pits dug in July, but bright oxidized root coloration was observed as shallowly as 4 inches deep. Soil pits in Willow Riparian Scrub exhibited water table seeping relatively deeply at 12-16 inches below the surface.

Wet Montane Meadow. This community occurs in a corridor of wetland soil adjacent to the channelized flow (Figure 2). The dominant plant species in this community are grasses and grass-like that are adapted to a shallow groundwater table or ponding that causes saturation and anaerobiosis within the rooting zone during the growing season (App. A), including *Carex nebrascensis*, *Juncus balticus*, and *Agrostis pallens*. The hydrophytic herbs *Trifolium longipes* ssp. *atrorubens*, *Symphotrichium spathulatum*, *Lupinus polyphyllus*, and *Mimulus primuloides* dominate in scattered patches. Seasonally drying areas (i.e., the Wet Montane Meadow – Dry Montane Meadow ecotone) support a higher diversity of species, including *Juncus orthophyllus*, *J. xiphioides*, and *Penstemon rydbergii* var. *oreocharis*. The non-native grasses *Poa pratensis* and *Phleum pratense* are widespread in the Wet Montane Meadow habitat, but never approached the frequencies of the dominant grasses and native herbs. Three willows grow streamside within the study area’s Wet Montane Meadow, where they help to stabilize the location of the Whisky Creek channel.

Dry Montane Meadow. More than half of the wetland area mapped at the site is classified as Dry Montane Meadow (Table 1). This community occurs adjacent to Wet Montane Meadow in a zonal pattern centered on Whisky Creek (Figure 2). Shrubs present in Dry Montane Meadow include widely scattered *Artemisia cana* ssp. *bolanderi* and *Rosa woodsii* (both FACU) and small patches of invasive *Ericameria nauseosa* and *Artemisia tridentata* (both UPL). Dominants are relatively low-growing grasses and herbs, including *Muhlenbergia richardsonis*, *Juncus balticus*, *Carex praegracilis*, and *Achillea millefolium*. This community also includes many non-native annuals that can be more abundant here than elsewhere at wetland habitats, such as *Sisymbrium altissimum*, *Bromus tectorum*, and *Descurainia sophia*. Dry Montane Meadow vegetation rapidly transitions to dominance by upland shrubs of the Great Basin Mixed Scrub community, within the space of about two lateral feet; the ecotone is abrupt. In addition, the shift in composition at the ecotone is complete. The dominant herbaceous species of Dry Montane Meadow (except non-natives, see App. A) are not found in further coexistence with Great Basin Mixed Scrub species where they dominate at slightly higher elevations within the study area.

Soils and Hydrology

Wetland plant communities within the study area are closely associated with Whisky Creek, which crosses the southeastern corner of the parcel. Bank-full flow in mid-July and fish presence in the central channel suggest that recharge to shallow groundwater that now supports a prevalence of hydrophytic vegetation in the wetland zone is maintained perennially. Channel size ranges from 1-3 ft. wide, usually with overhanging banks 0.5-1.5 ft. in height. Recent flotsam and OHWM indications show that Whisky Creek's surface water depth frequently exceeds the narrow banks during the growing season under normal conditions. Even in July, patchy areas adjacent to the (unvegetated) in-bank flow have a swampy or boggy appearance and support emergent plants. Outside this zone of ponding, the wetland vegetated near-surface soil in July was observed to be only moist or drying under a darkened organic matter surface accumulation.

Whisky Creek is the only on-site source of water for wetland storage and consumption throughout most of the year. Past management of the large meadow area south of Pearson Road for provision of pasture may have included water spreading. However, no evidence of this kind of manipulation was found within the small portion of meadow intersected by the study area. The only channel that occurs on the property is Whisky Creek. There are no other ditches, swales, or relatively low-lying areas that could collect or convey tributary flows. Whisky Creek is tributary to the Owens River.

Soil pit results within areas mapped as wetland were relatively consistent in terms of texture, matrix color, and color of oxidized root zones. The Mono County Soil Survey (NRCS, 2002) identifies Unit 676, a Watterson-Conway, wet-Artray family-Ulymeyer complex at the Community Center parcel. Soil composition in this area is generally coarse, light in color, and derived from mixed granitic alluvium and volcanic ash. Rounded cobbles to 1 inch diameter were encountered at depths below 4 inches in all soil pits dug within Willow Riparian Scrub, Wet Montane Meadow, and Dry Montane Meadow. No indications of soil profile disturbance were found in pits at the wetlands portion of the site.

Within the areas of Willow Riparian Scrub, Wet Montane Meadow, and Dry Montane Meadow vegetation, there is consistently an organic surface horizon averaging 1-2 inches thick. Organic matter buildup at this site likely has been encouraged by frequently sustained wet to saturated conditions and associated oxygen depletion. Below the darkened organic horizon are medium to coarse sands with low chroma (Munsell 7.5 YR 4/2) indicating reduced conditions in the wetland situation, and contrasting well with the lighter color (generally, 5 YR 4/4) of nearby soils that support a prevalence of upland species. At one location, low chroma was the only clear indication of reductimorphic soil condition. In all other locations, soil chroma indication was supplemented by bright red/grey mottles (2.5 YR 3/6), or red-grey oxidized root zones (2.5 YR 3/6), and soil saturation at depths ranging from near the surface to 16 inches. Clear mottling and oxidized root zone indications at depths of 4 to 14 inches were important for assigning hydric soil status at sample points located in the well-drained, drier, and coarser soils that were found in Dry Montane Meadow.

Seeping groundwater or saturated soils were observed in all Willow Riparian Scrub, Wet Montane Meadow and Dry Montane Meadow pits. Depths of soil saturation were found to be consistently less than 16 inches in soils supporting these community types, with greater depths in this range recorded in Dry Montane Meadow. Wet Montane Meadow sample points exhibited

evidence of prior surface ponding and recently rafted debris on live plants. High groundwater or ponding in July, and observation of shallow depth to saturation when sampled near the mid-point of the growing season, is positive evidence that wetland hydrology frequently occurs during a significant portion of the growing season under normal conditions. Considering that the springs that create Whisky Creek flows continued to sustain a bank-full condition (nearly reaching the OHWM) in July, despite the occurrence of local climatological drought conditions in 2014, it is assumed that normal hydrologic conditions existed at the time of the field investigation.

Because of the relationship that was consistently observed between the hydric status of the soil, the presence of wetland hydrology, and the prevalence of hydrophytic vegetation that occurs within three of the on-site Holland community types, it was concluded that potentially jurisdictional wetlands occur at all areas of Willow Riparian Scrub, Wet Montane Meadow, and Dry Montane Meadow occurrence. The outermost Dry Montane Meadow edge was mapped as the boundary between jurisdictional wetlands and non-jurisdictional uplands (Figure 3).

Section 4. Citations

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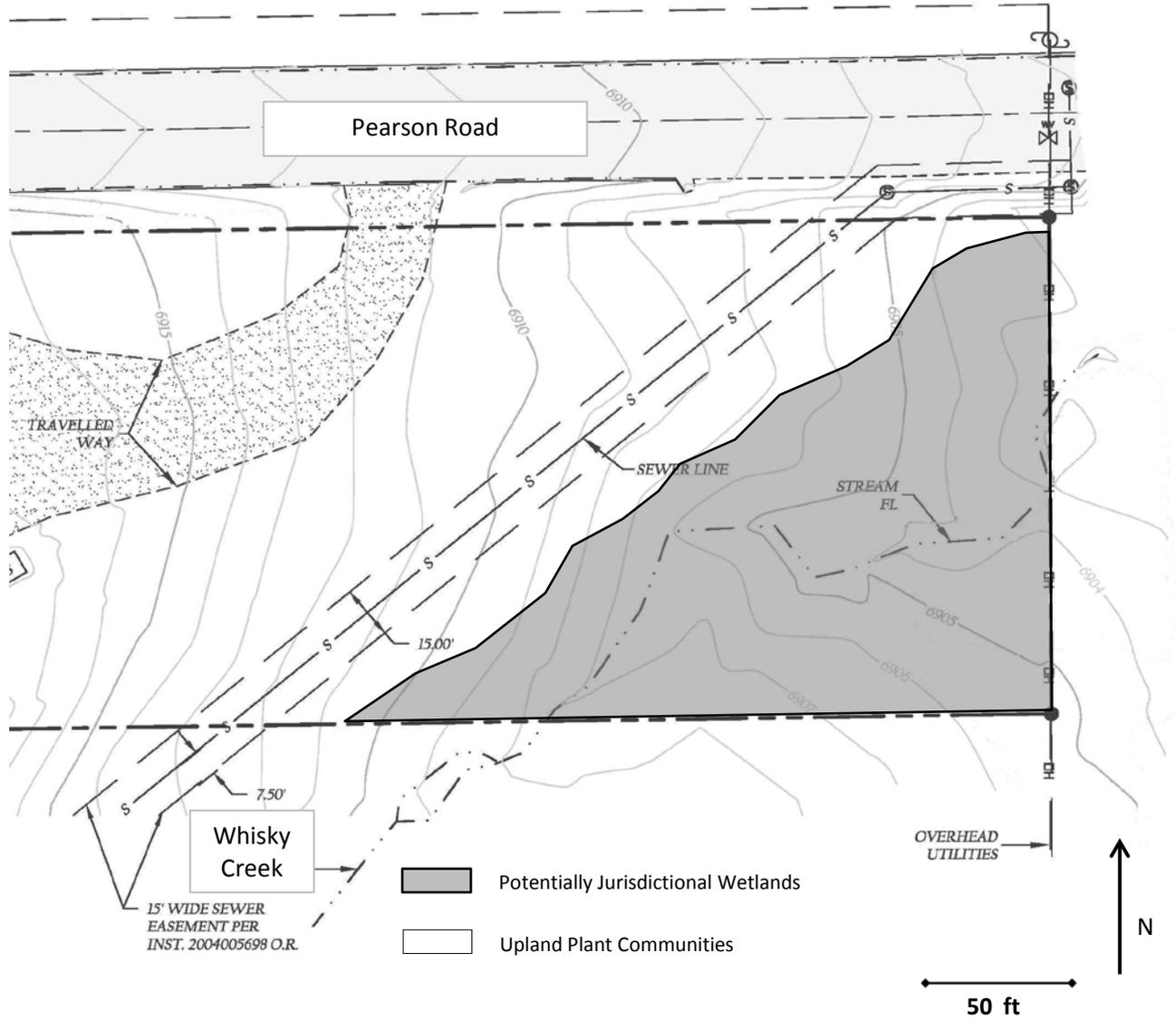


Figure 3. Eastern portion of the Community Center Parcel, where wetland vegetation, soil and hydrology were documented in July 2014. The outer edge of potentially jurisdictional wetlands associated with Whisky Creek coincides with the boundary between Dry Montane Meadow and Great Basin Mixed Scrub.

Appendix A. Plant Species by Community Type

	habit	status	plant community				
			disturbed	upland scrub	dry mdw	wet mdw	willow scrub
Apiaceae							
<i>Sphenosciadium capitellatum</i>	NPH	FACW				x	x
Asteraceae							
<i>Achillea millefolium</i>	NPH	FACU			x	x	x
<i>Ambrosia acanthicarpa</i>	NAH						
<i>Artemisia cana</i> ssp. <i>bolanderi</i>	NS	FACU			x		
<i>Artemisia tridentata</i>	NS		x	x			
<i>Chrysothamnus viscidiflorus</i> ssp. <i>viscidiflorus</i>	NS		x	x			
<i>Ericameria nauseosa</i>	NS		x	x			
<i>Lactuca serriola</i>	IAH		x		x		
<i>Pleiacanthus spinosus</i>	NPH		x	x			
<i>Senecio scorzonella</i>	NPH	FAC				x	
<i>Symphotrichum spathulatum</i> var. <i>spathulatum</i>	NPH	FAC			x		
<i>Tetradymia canescens</i>	NS		x	x			
<i>Tragopogon dubius</i>	IAH				x		
<i>Wyethia mollis</i>	NPH		x	x	x		
Boraginaceae							
<i>Cryptantha micrantha</i>	NAH		x	x			
<i>Lappula redowskii</i> var. <i>redowskii</i>	NAH				x		
Brassicaceae							
<i>Descurainia sophia</i>	IAH		x	x	x		
<i>Lepidium virginicum</i> ssp. <i>virginicum</i>	NAH	FACU	x				
<i>Sisymbrium altissimum</i>	IAH	FACU	x	x	x		
Caryophyllaceae							
<i>Stellaria longipes</i> ssp. <i>longipes</i>	NPH	FACW				x	x

	habit	status	plant community				
			disturbed	upland scrub	dry mdw	wet mdw	willow scrub
Chenopodiaceae							
<i>Chenopodium album</i>	IAH	FACU	x				
<i>Chenopodium dessoratum</i>	NAH			x	x		
<i>Chenopodium leptophyllum</i>	NAH	FACU	x	x			
<i>Dysphania botrys</i>	IAH	FACU	x				
<i>Salsola tragus</i>	IAH	FACU	x	x	x		
Fabaceae							
<i>Astragalus purshii</i> var. <i>tinctus</i>	NPH			x			
<i>Lupinus argenteus</i> var. <i>heteranthus</i>	NPH		x	x	x		
<i>Lupinus lepidus</i> var. <i>confertus</i>	NPH				x		
<i>Lupinus polyphyllus</i> var. <i>burkei</i>	NPH	FAC				x	x
<i>Trifolium longipes</i> ssp. <i>atrorubens</i>	NPH	FACW			x	x	x
Hypericaceae							
<i>Hypericum scouleri</i>	NPH	FACW				x	x
Loasaceae							
<i>Mentzelia albicaulis</i>	NAH		x	x			
Montiaceae							
<i>Montia chamissoi</i>	NAH	OBL				x	
Onagraceae							
<i>Epilobium ciliatum</i> ssp. <i>ciliatum</i>	NPH	FACW				x	
<i>Epilobium saximontanum</i>	NPH	FACW				x	x
<i>Gayophytum diffusum</i> var. <i>parviflorum</i>	NAH				x		
<i>Gayophytum humile</i>	NAH	FAC			x	x	
<i>Oenothera elata</i> ssp. <i>hirsutissima</i>	NPH	FACW			x		

Crowley Community Center botanical survey

	habit	status	plant community				
			disturbed	upland scrub	dry mdw	wet mdw	willow scrub
Orobanchaceae							
<i>Castilleja miniata</i> ssp. <i>miniata</i>	NPH	FACW					x
Phrymaceae							
<i>Mimulus primuloides</i> var. <i>primuloides</i>	NPH	FACW					x
Plantaginaceae							
<i>Penstemon rydbergii</i> var. <i>oreocharis</i>	NPH	FACU				x	
Polemoniaceae							
<i>Eriastrum wilcoxii</i>	NAH		x	x			
<i>Phlox stansburyi</i> ssp. <i>stansburyi</i>	NPH			x			
Polygonaceae							
<i>Eriogonum baileyi</i> var. <i>baileyi</i>	NAH		x	x			
<i>Eriogonum davidsonii</i>	NAH		x				
<i>Eriogonum umbellatum</i> var. <i>nevadense</i>	NS			x			
<i>Polygonum aviculare</i> ssp. <i>depressum</i>	IAH		x				
<i>Rumex californicus</i>	NPH	FACW				x	
<i>Rumex paucifolius</i>	NPH	FAC				x	
Rosaceae							
<i>Horkeliella congdonis</i>	NPH			x		x	
<i>Potentilla gracilis</i> var. <i>elmeri</i>	NPH	FAC				x	x
<i>Prunus andersonii</i>	NS		x	x			
<i>Purshia tridentata</i>	NS		x	x			
<i>Rosa woodsii</i> var. <i>ultramontana</i>	NS	FACU		x		x	

Crowley Community Center botanical survey

	habit	status	plant community				
			disturbed	upland scrub	dry mdw	wet mdw	willow scrub
Rubiaceae							
<i>Galium trifidum</i> ssp. <i>columbianum</i>	NAH	FACW				x	
Salicaceae							
<i>Salix exigua</i>	NS	FACW					x
<i>Salix geyeriana</i>	NT	OBL					x
<i>Salix lasiolepis</i>	NT	FACW				x	x
<i>Salix lutea</i>	NT	OBL				x	x
Angiosperms (monocots)							
Cyperaceae							
<i>Carex nebrascensis</i>	NPGL	OBL				x	x
<i>Carex praegracilis</i>	NPGL	FACW				x	x
Iridaceae							
<i>Iris missouriensis</i>	NPGL	FACW			x		
<i>Syrinchium idahoense</i> var. <i>occidentale</i>	NPGL	FACW			x	x	x
Juncaceae							
<i>Juncus balticus</i> ssp. <i>ater</i>	NPGL	FACW		x	x	x	x
<i>Juncus orthophyllus</i>	NPGL	FACW			x	x	x
<i>Juncus xiphioides</i>	NPGL	OBL				x	x
Orchidaceae							
<i>Platanthera sparsiflora</i>	NPH	FACW				x	
<i>Spiranthes romanzoffiana</i>							

plant community

	habit	status	disturbed	upland scrub	dry mdw	wet mdw	willow scrub
Poaceae							
<i>Agropyron cristatum</i>	IPG		x	x	x		
<i>Agrostis pallens</i>	NPG	FACU			x	x	
<i>Bromus tectorum</i>	IAG		x	x	x		
<i>Elymus elymoides</i>	NPG	FACU	x	x			
<i>Elymus triticoides</i>	NPG	FAC		x	x		
<i>Festuca trachyphylla</i>	IPG	UPL			x		
<i>Muhlenbergia richardsonis</i>	NPG	FAC			x	x	x
<i>Phleum pratense</i>	IPG	FACU			x	x	
<i>Poa pratensis</i> ssp. <i>pratensis</i>	IPG	FAC			x	x	x
<i>Stipa comata</i> var. <i>comata</i>	NPG			x			
<i>Stipa hymenoides</i>	NPG		x	x			
<i>Stipa nevadensis</i>	NPG			x			
Ruscaceae							
<i>Maianthemum stellatum</i>	NPH	FACU				x	x

key to growth habit codes:

A annual
 B biennial
 G grass
 GL grass-like
 H herb
 I introduced
 N native
 P perennial
 S shrub
 T tree

key to indicator status codes:

OBL 99% probability of occurrence in wetlands
 FACW 67-99% probability of occurrence in wetlands
 FAC 34-66% probability of occurrence in wetlands
 FACU 1-33% probability of occurrence in wetlands

Appendix B. Delineation Data Sheets

Exhibit 4

From: Mitchell, Jeremy@CALFIRE [<mailto:Jeremy.Mitchell@fire.ca.gov>]
Sent: Thursday, May 21, 2015 8:58 AM
To: Courtney Weiche
Subject: RE: 30' Front Setback Requirement

Courtney,

Good morning,

In reference to our conversation yesterday on 4290 Article 5 sec 1276.01 (a). I understand it as all property lines and/or the center of the road. If your going from the center line in the road to meet your 30 ft then you are meeting the requirements of the section.

Thank you and have a great day.

Jeremy Mitchell
Battalion Chief
BDU/Eastern Sierra Division

Courtney Weiche

Subject: FW: 30' Front Setback Requirement

From: Mitchell, Jeremy@CALFIRE [<mailto:Jeremy.Mitchell@fire.ca.gov>]

Sent: Thursday, May 21, 2015 8:58 AM

To: Courtney Weiche

Subject: RE: 30' Front Setback Requirement

Courtney,

Good morning,

In reference to our conversation yesterday on 4290 Article 5 sec 1276.01 (a). I understand it as all property lines and/or the center of the road. If your going from the center line in the road to meet your 30 ft then you are meeting the requirements of the section.

Thank you and have a great day.

Jeremy Mitchell
Battalion Chief
BDU/Eastern Sierra Division

Mono County Service Area 1 (MCSA 1)

Ten Year Plan

This is a general guideline of a 10-year plan for the CSA 1. It is the responsibility of the Board President to produce the plan, and will be reviewed and revised each year at the October meeting. The 10-year plan was approved by the CSA 1 board on January 31, 2012. It was revised on May 22, 2012 to include more information on the Skate Park and the Crowley Lake Ball Field. A Community Survey was mailed to all property owners within the district in November of 2012. The results from that survey are mentioned below.

The goal of the CSA 1 board is to use the tax dollars allocated by the Mono County Assessor's Office to best fill the needs or services of the citizens who live within the district. The CSA 1 district runs from the Geothermal Plant at Hwy 395 and Hwy 203 to the north and continues south to the community of Sunny Slopes and Tom's Place.

The CSA 1 is a dependent district and a advisory board to the Mono County Board of Supervisors, and consists of five volunteer citizens who live within the district. It is a non-profit board, that has one paid position of a Secretary whose duties include taking the minutes at each meeting, producing the financial reports and various other duties as needed. Our budget is based on a percentage of property tax dollars we receive from the Mono County Assessor's Office as mentioned above. The board cannot spend more than \$5,000,000 on any given project without the approval of the Mono County Board of Supervisors.

The CSA 1 board sent a survey by mail in November of 2012 asking all property owners to rate the projects on the 10-yr plan in order of most favorable being #1 and least favorable being #6. The results from that survey are:

1. A new Library at the C.L. Community Center property.
2. Community programs/classes.
3. Improvements to the C.L. Ball Field.
4. Solar panels on the C.L. Community Center / Additional playground equipment at the C.L. Park tied for 4th.
5. Skate Park at the C.L. Ball Field.

Using the results from the community survey the CSA 1 board presented the 10-yr plan to the RPAC committee and they are in support of the plan and the goals of the CSA 1. The CSA 1 board is asking for support from Mono County Board of Supervisors so the 10-year plan may be implemented into the Mono County five year capital improvement project plan.

A description of each project is listed below.

3-5 years: Crowley Lake Library

The CSA 1 will assign one board member to work closely with the Crowley Lake Friends of the Library, and Mono County Office of Education Library Authority Board, to construct a new Library Facility on the property of the Crowley Lake Community Center that is owned by Mono County. CSA 1 has budgeted for the 2012/13 financial year \$25,000. for design and development and has also set aside \$75,000 annually in reserves to help fund the project. The cost of the project is estimated to be about \$1,000,00.00. The CSA 1 through Mono County would take out a Municipal Finance Loan with payments of \$50,000.00 annually for 15-20 years. This project will need the approval of the Mono County Office of Education Library Authority Board and the Mono County Board of Supervisors.

1- years: Community Programs/Classes

Programs would be offered to folks withing the district at no charge and a nominal fee for folks outside the district. There may be a charge for supplies if they are required. The programs would be held at the CL Community Center. The board will advertising for instructors and will pay instructors \$30.00 per hr. We have worked with County Counsel and have a Instructors Agreement. The cost to implement these programs is estimated to be \$3 - \$5,000.00 per year with classes being offered 2 to 3 times a year.

1-2 years: Improvements to the Crowley Lake Ball Field

Working with Mono County Public Works to make the following improvements: Drinking fountain, hose bib to water down pitcher's mound, bathrooms, dugouts, concession stand, bbq's, picnic tables, shade area, and play structure. The County has provided a cost estimate of \$45,000.00 for the bathrooms, drinking fountain, hose bib and a concession/storage building. Total estimate for the entire project is a ballpark cost of \$75,000.00. This project would need the approval of the Mono County Board of Supervisors.

2- years: Crowley Lake Park

The board would like to add another piece of playground equipment to the park on Crowley Lake Drive. We estimate \$3,000.00 - \$5,000.00, depending on the cost of equipemtn chosed for this project. This project would not need the approval of the Board of Supervisors.

3-5 years: Solar Panels on the CL Community Center and Public Buildings

The concstuction and financing of solar panels on the Community Center. The cost is dependent on how many panels would be appropriate to install. An estimated cost is anywhere from \$25,000.00 - \$75,000.00. This project would need the approval of the Mono County Board of Supervisors.

5-10 years: Skate Park at the CL Ball Field

A Skate Park is included in the General Plan for the CL Ball Field area. A board member would work closely with either Mammoth Unified School District (who holds the lease of the Ball Field) or BLM to acquire the land to develop a Skate Park for beginner to intermediate skateboards, bikes, scooters and rollerblades. The board would like to see the addition of Phase 2, a park for

advanced skaters sometime after Phase 1 has been completed. Steve Klassen has volunteered to work with Brian Sizer to develop the design for the park. Steve has also volunteered to donate the shotcrete pump needed to shoot and pour the concrete. The estimated cost for Phase 1 is \$150,000.00 - \$200,000.00 but could be less depending on donations from the community for materials, labor or grant funding. This project would need the approval of the Mono County Board of Supervisors.

Various other projects within the district

Upgrades to the new Library.

Agrotourism and Urban Farming using land from local agencies such as BLM.

Ideas or suggestions generated from the public or the RPAC committee.



Parks & Recreation

P.O. BOX 1609, MAMMOTH LAKES, CALIFORNIA 93546

Phone: (760) 934-8989 ext. 234

Fax: (760) 934-8608

RECEIVED
DEC 02 2015
MONO COUNTY
Community Development

December 2, 2015

Dear Mono County Planning Commission,

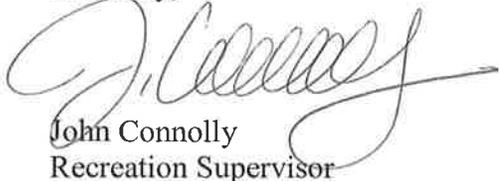
On behalf of youth skateboarders, the Town of Mammoth Lakes Parks and Recreation Department is offering this letter of support for the Crowley Lake Skate Park.

As a recreational professional for 20+ years I can attest to the positive influence skateboarding has on our area youth. Professionally designed and maintained skate parks become public assets that create opportunity for children looking for challenging outdoor activity.

Skate parks buck the rising trend of sedentary lifestyles. Children find meaning in accomplishment, not spending time indoors on electronic devices.

This summer, Mammoth Parks and Recreation staff along with the Wave Rave Snowboard shop taught over 115 children in four separate skate camps. We utilized the three skating areas in Mammoth: Shady Rest Skate Park, Mammoth Roller Rink, and the Volcom Brother's Skate Park. All the children also swam in the joint TOML/Mono County Whitmore Pool. If and when the Crowley Skate Park is completed would we frequent that too? You bet.

Sincerely,



John Connolly
Recreation Supervisor



County Service Area No. 1
Television Service
Crowley Lake,- Long Valley
Post Office Box 3861
Mammoth Lakes, CA 93546-3861

88

RECEIVED
DEC 04 2015
MONO COUNTY
Community Development

December 1, 2015

Dear Mono County Planning Commission Board Members,

Mono County Service Area 1 has a vision for the Crowley Lake Community Center parcel as a gathering place for folks in our community. The parcel is currently the home of our Community Center and Community Garden and we would like to add a state-of-the-art Skate Park. Eventually, we hope to add a new library building. At this time we are moving forward with our goal to add the skate park only. We are not moving forward with a new library at this time due to the fact the Mono County Office of Education (libraries fall under their supervision) cannot commit to maintain or take on the responsibility of a new library in Crowley Lake due to their financial situation and budget.

We are here today to request your approval of the master site plan and use permit for a skate park (approximately 9,000 sq. ft.) on the parcel/site plan of the CL Community Center, as this is Mono County property. Folks will be able to work in the garden and use the skate park and also access public transportation (ESTA). Although we cannot build a new library at this time we are holding a footprint for that building.

CSA 1 has already accomplished substantial footwork for the skate park. We were required to do a survey to find the four corners of the property as the County had no record of that information. We have also procured a Wetlands Delineation Study. Even though the study showed we can use the land up to the property line with the Church on The Mountain, we are choosing not to cross over the sewer line, but may use that area for picnic tables and benches. We have spent approximately \$10,000 on the two items above and also for work that Triad Engineering did on the site plan for the layout of the park that includes paving a loop road as requested by ESTA, an ADA restroom, sidewalks, curbing, parking and striping of parking.

The CSA 1 Board held a workshop of Oct 7, 2015 after a flyer was mailed to all property owners with information about our goal to build a skate park, and requesting community input and support. We presented the plan for the park in a two hour workshop. We desired to approach the local community again after our 2012 community survey results indicated a substantial desire for a skate park as one of the CSA 1 priority goals. There was overwhelming support in favor of moving forward with the skate park from those in attendance and that is why we are here today to ask for your support to approve the proposed master site plan, which includes the CL Skate Park. We hope to start

construction in the Summer of 2017 and complete it by late Fall 2017.

The CSA 1 budget is quite healthy. We have been setting aside money each year for the construction of the skate park. We currently have approximately \$90,000 in reserves, after paying the expenses mentioned above for the skate park. We currently have \$250,000. in reserves for a new Library. We receive approximately \$135,000. from Mono County property taxes each year. We have two more years to set aside money from our budget and we feel we can achieve the goal to meet the projected cost of \$600,000 to build the park. We also have a fundraising committee to help get the community involved and the first fundraiser is an Art Bazar scheduled for Dec. 19th. We hope to add other fundraisers (i.e., participation in the 4th of July parade with skateboarders) in the next two years to raise community awareness and raise funds. Once there is a design completed for the skate park, there are some grants available which we plan to pursue.

The CSA 1 Board has been working on the vision of a skate park in Crowley Lake for two years and we hope that we can answer any questions and have the support of the MCPC board members to make this vision a reality.

Sincerely,

A handwritten signature in cursive script that reads "Kim McCarthy".

On behalf of the CSA 1 Board Members - Kim McCarthy, John Connolly, Denise Perpall, Deb Preschutti and Rick LaBorde

**Mono County
Community Development Department**

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

Planning Division

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

Date: December 10, 2015

To: Mono County Planning Commission

From: Gerry Le Francois, Principal Planner

Re: Second One-Year Extension of Tentative Parcel Map (TPM) 31-86 / Graves

RECOMMENDATION

It is recommended that the Mono County Planning Commission take the following actions:

- A. Find that the project was approved in 2005, under Section 15183 of the CEQA Guidelines, and this map extension is a ministerial action and exempt from further CEQA review under CEQA Guidelines Section 15268; and
- B. Approve the second one-year extension of Tentative Parcel Map 31-86/Graves to November 11, 2016, subject to the prior Conditions of Approval and Mitigation Monitoring Program as contained herein.

BACKGROUND

The proposed project is located along US 395 at the southern end of Antelope Valley (east of the Mountain Gate Parkway). The project calls for the subdivision of a 115-acre parcel into four lots and a remainder (APN 002-490-012). The subject property has a General Plan land use designation of Rural Residential with a 10-acre minimum lot size (RR 10).

Telephone and electrical services do not extend to the project. The surrounding area is a combination of private and public lands. The lands to the east and south are Humboldt-Toiyabe National Forest lands, with those to the west owned by Mono County and Bureau of Land Management (BLM). The lands to the north are large-lot residential.

The Planning Commission approved the tentative parcel map on Nov. 10, 2005. The Commission approved a one-year extension in November 2008, and numerous extensions by the State Legislature extended this parcel map to Nov. 10, 2015. The applicant filed a timely extension request. If approved, this second one-year extension would continue the TPM approval until Nov. 10, 2016.

LDTAC REVIEW

The Land Development Technical Advisory Committee has reviewed this map extension and recommended approval of a one-year map extension.

ATTACHMENTS

- Map Extension Application
- Map Conditions from 2005 approval
- Assessor Parcel Page / GIS Map
- TPM 31-86/Graves

RECEIVED

OCT 22 2015

MONOCOUNTY
Community Development
347
Moth Lakes, CA 93546
(760) 924-1800, fax 924-1801
commdev@mono.ca.gov

Mono County
Community Development Department
Planning Division

Submit by Email

Print Form

P.O. Box 8
Bridgeport, CA 93517
(760) 932-5420, fax 932-5431
www.monocounty.ca.gov

Payment pending

**MAP EXTENSION
APPLICATION**

APPLICATION # _____	FEE PAID \$ _____
DATE RECEIVED <u>10/22/15</u>	RECEIVED BY _____
RECEIPT # _____	CHECK # _____ (NO CASH)

APPLICANT/AGENT Gaye L. Graves

ADDRESS 2727 Midtown Court #29

CITY/STATE/ZIP Palo Alto, CA 94303

TELEPHONE (650) 321-5046

E-MAIL gaye.graves@rocketmail.com

OWNER, if other than applicant _____

ADDRESS _____

CITY/STATE/ZIP _____

TELEPHONE (_____) _____

E-MAIL _____

Date of Planning Commission approval _____

APN 02-140-038

Date of Board of Supervisors approval _____

Minute Order # _____

Map expiration date _____

PREVIOUS EXTENSIONS: Extension approved _____

Expires 11/10/15

Second extension approved _____

Expires _____

REASON FOR REQUEST: Applicant(s) should describe the progress to date and the reasons why an extension is necessary, using additional sheets if necessary.

Additional time is needed to have a parcel map modified to reflect the sale of parcels to Mono County.

APPLICATION SHALL INCLUDE:

- A. Completed application form.
- B. Project processing deposit: See Development Fee Schedule for Map Extension.
- C. If the environmental document is still valid and does not need modification by staff, no deposit. Otherwise, see Development Fee Schedule for the following Environmental Review deposits (CEQA) that may be required: Categorical Exemption, Negative Declaration, Environmental Impact Review (deposit for initial study only).

More on back...

I CERTIFY UNDER PENALTY OF PERJURY THAT I am: legal owner(s) of the subject property (all individual owners must sign as their names appear on the deed to the land), corporate officer(s) empowered to sign for the corporation, or owner's legal agent having Power of Attorney for this action (a notarized "Power of Attorney" document must accompany the application form), AND THAT THE FOREGOING IS TRUE AND CORRECT.

Gaye L. Graves
Signature

Signature 10/22/15
Date

RECEIVED

OCT 22 2015

MONO COUNTY
Community Development

Payment pending *[initials]*

**MONO COUNTY COMMUNITY DEVELOPMENT
Planning Division**

NOTICE OF TENTATIVE MAP EXPIRATION

TENTATIVE PARCEL MAP # 31-86 **APPLICANT** Graves

ASSESSOR'S PARCEL NUMBER: 02-140-038

PROJECT LOCATION: The property is located along State Highway 395, approximately 1/2-mile west of Bircham Flat Road at the south end of Antelope Valley.

You are hereby notified that Tentative Parcel Map #31-86 is set to expire on November 10, 2015 under Assembly Bill 116. AB 116 extension shall be in addition to any extension of the expiration date provided for in Section 66452.6, 66452.11, 66452.13, 66452.21 (SB 1185), or 66463.5.

Maps are approved for an initial two-year period. Up to three, one year map extensions may also be approved by the Planning Commission provided a written application is made to the Executive Secretary to the Planning Commission not later than forty-five (45) days prior to the expiration of the tentative map. A failure to file the final map within the required timeframe or file for an extension will nullify all approvals.

APPROVALS	DATE	COMPLETED
Date of Map Approval (2 yrs):	November 10, 2005	X
Date of Expiration:	November 10, 2007	
1 st Map Extension:	November 10, 2008	X
SB 1185 Automatic Extension:	November 10, 2009	X
AB 333 Map Extension	November 10, 2011	X
AB 208 Map Extension:	November 10, 2013	X
AB 116 Map Extension:	November 10, 2015	current
2 nd Map Extension:	-	Applicant mailed notice on 8/24/15
3 rd Map Extension:	-	

DATE OF EXPIRATION with AB 116 Extension: November 10, 2015

NEW DATE OF EXPIRATION with 2nd Map Extension:

DATED: 8/24/2015

- cc: Applicant
- Engineer
- Assessor's Office
- Public Works
- Environmental Health

RECEIVED

OCT 22 2015

MONO COUNTY
Community Development

Payment Pending

Notice of PM 31-86 Expiration

**ATTACHMENT 1
MONO COUNTY COMMUNITY DEVELOPMENT
Planning Division**

**NOTICE OF TENTATIVE
PARCEL MAP APPROVAL**

TENTATIVE PARCEL MAP # 31-86

APPLICANT: Graves

ASSESSOR'S PARCEL NUMBER: 02-140-38

PROJECT LOCATION: The proposed project is located along U.S. Highway 395 approximately one-half mile west of Burcham Flat Road at the south end of Antelope Valley.

You are hereby notified that the Mono County Planning Commission did on November 10, 2005, hold a public hearing to hear any and all testimony relative to the approval of Tentative Parcel Map 31-86 and did approve the map for a period of twenty-four (24) months, subject to the following conditions.

**Please refer to the attached
Conditions of Approval #1 through 47**

If the applicant/agent is not satisfied with the decision of the Planning Commission, he may, within fifteen (15) days of effective date of the decision, submit in writing an appeal to: Secretary of the Planning Commission, P.O. Box 347, Mammoth Lakes, CA 93546; or to the Clerk of the Board, P.O. Box 715, Bridgeport, CA 93517.

The appeal shall include: 1) appellant's interest in the subject property; 2) the conditions appealed; and 3) specific reasons why the appellant believes the conditions appealed should be amended or upheld.

DATE OF EXPIRATION: 11.10.2007

DATED: November 10, 2005

cc: Applicant
 Engineer
 Assessor's Office
 Public Works
 Environmental Health

ATTACHMENT 2**MONO COUNTY COMMUNITY DEVELOPMENT
Planning Division****NOTICE OF DETERMINATION**

To: Office of Planning and Research
1400 Tenth St., Room 121
Sacramento, CA 95814

County Clerk
Mono County
P.O. Box 237
Bridgeport, CA 93517

FOR RECORDER'S USE ONLY

From: CDD/Planning Division
Mono County
P.O. Box 8
Bridgeport, CA 93517

SUBJECT:

Project Title: Tentative Parcel Map 31-86 / Graves

State Clearinghouse #: N/A

Contact Person: Keith Hartstrom Phone: (760) 932-5425

Project Location - Community: Antelope Valley

Project Location - County: Mono County

Description of Project: Subdivision of a 136-acre parcel (APN 02-140-38) into four lots and a remainder.

This is to advise that the Mono County Planning Commission (lead agency) has approved the above-described project on November 10, 2005, and has made the following determination regarding the above-described project (selected determination is shown in bold type):

- 1) The project will not have a significant effect on the environment.
- 2) An Addendum to a previously certified Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
- 3) Mitigation measures were made a condition of the approval of the project.
- 4) A statement of Overriding Considerations was not adopted for this project.
- 5) Findings were not made pursuant to the provisions of CEQA.
- 6) **All of the effects of the project are exempt from further review under Public Resources Code section 21083.3 and all feasible mitigation measures specified in the EIR certified in conjunction with the Mono County General Plan relevant to those effects have been applied to the project.**

This is to certify that the Environmental Analysis, comments and record of project approval are available to the general public at:

Mono County Offices, 74 School Street, Bridgeport, CA 93517

Signature: _____ Date: November 10, 2005

Title: Keith R. Hartstrom, Principal Planner

Date received for filing at OPR: _____

**PM 31-86/GRAVES
CONDITIONS OF APPROVAL &
MITIGATION MONITORING PROGRAM**

FORMAT:

CONDITION OF APPROVAL.....

- a. SCHEDULE OF COMPLIANCE.....
 - b. RESPONSIBLE MONITORING AGENCY or DEPARTMENT.....
 - c. IMPLEMENTING PARTY
 - d. TYPE OF MEASURE: DESIGN, ONGOING, CUMULATIVE
-

Uniformly Applied Development Standards and Policies

1. Future residential development shall be required to meet the requirements of the Mono County General Plan.
 - a. Generally associated with future development. Requires monitoring over a period of time. Must be satisfied prior to issuance of a building permit and/or certificate of occupancy.
 - b. Community Development Department, Planning and Building divisions
 - c. Applicant/Property Owner
 - d. Design

2. The project, as well as future development, shall comply with the Fire-Safe Regulations (Mono County General Plan, Land Use Element, Section VI Land Development Regulations Chapter 22) pertaining to emergency access, signing and building numbering, emergency water supplies and vegetation modification.
 - a. Generally associated with future development. Requires monitoring over a period of time. Must be satisfied prior to issuance of a building permit and/or certificate of occupancy.
 - b. Community Development Department/Building Division
 - c. Applicant/Property Owner
 - d. Design

3. All wood-burning devices installed in the project shall be Phase II EPA certified, in conformance with the Mono County General Plan (Conservation/Open Space Element, Public Health and Safety policies, Objective A, Action 6.1).
 - a. Generally associated with future development. Requires monitoring over a period of time.
 - b. Community Development Department/Building Division and Environmental Health
 - c. Applicant/Property Owner
 - d. Design

4. The project proponent shall stop work and notify appropriate agencies and officials if archaeological evidence is encountered during earthwork activities. Additionally, future residential construction/development shall require the contractor/owner to stop work and notify appropriate agencies and officials if archaeological evidence is encountered during earthwork activities. No disturbance of an archaeological site shall be permitted until such time as the applicant hires a qualified consultant and an appropriate report is filed with the Mono County Community Development Department, Planning Division, which identifies acceptable site mitigation measures.

- a. Generally associated with future development but may occur anytime construction is in progress. Requires monitoring over a period of time.
 - b. Community Development Department/Planning Division
 - c. Applicant/Property Owner
 - d. Design/Ongoing

5. Construction shall be limited to daylight hours (or per Mono County Code 13.08.290, whichever is more restrictive) in accordance with Mono County Code Chapter 10.16 (Noise Regulation) in order to minimize impacts to nocturnal resident wildlife species, such as mule deer.
 - a. Requires monitoring over a period of time, usually linked to future development associated with approval of residential construction.
 - b. Community Development Department/Building and Planning divisions
 - c. Applicant/Property Owner
 - d. Design/Ongoing

6. Dogs belonging to individuals involved in construction activities shall be prohibited in the project area during construction phases or under the owner's complete control at all times.
 - a. Requires monitoring over a period of time, usually linked to future development associated with approved residential construction.
 - b. Community Development Department/Building and Planning divisions
 - c. Applicant
 - d. Design/Ongoing

7. Noise levels during construction shall be kept to a minimum by equipping all onsite equipment with noise attenuation devices and by compliance with all requirements of Mono County Code Chapter 10.16 (Noise Regulation).
 - a. Requires monitoring over a period of time, usually linked to future development associated with approval of residential construction.
 - b. Community Development Department/Building and Planning divisions
 - c. Applicant/Property Owner
 - d. Design/Ongoing

8. Erosion control measures on disturbed areas shall include the use of Best Management Practices such as placement of fiber blankets and rolls, filter fencing or similar erosion control materials. Removed topsoil shall be stockpiled and replaced over disturbed areas. Disturbed areas shall be revegetated with a native seed mix and/or native plants. For all phases of subdivision and future parcel development, exposed soil surfaces shall be stabilized and or revegetated as soon as possible to reduce impacts related to erosion.
 - a. Requires monitoring over a period of time, usually linked to future development associated with approval of residential construction.
 - b. Community Development Department/Building and Planning divisions
 - c. Applicant/Property Owner
 - d. Design/Ongoing

9. Revegetation of disturbed areas shall occur as soon as possible following construction and shall require the use of stabilization material or landscaping. Use of native seeds, native plants grown from seeds or seedlings obtained from local native stock is encouraged. Revegetated areas shall be irrigated as necessary to establish the plants.
 - a. Requires monitoring over a period of time, usually linked to future development associated with approval of residential construction.

- b. Community Development Department/Building and Planning divisions
 - c. Applicant/Property Owner
 - d. Design/Ongoing
10. To prevent wind erosion and public nuisance created by dust, the property owners shall refrain from clearing native vegetation except as necessary for impending same year construction.
- a. Requires monitoring over a period of time, usually linked to future development associated with approval of residential construction.
 - b. Community Development Department/Building and Planning divisions
 - c. Applicant/Property Owner
 - d. Design/Ongoing
11. For all phases of subdivision and parcel development, controls shall be instituted to reduce the impact of dust. Such controls are to include watering and mulching of disturbed areas or by other approved methods. Initiation of revegetation efforts should commence as soon as practical after construction.
- a. Requires monitoring over a period of time, usually linked to future development associated with approval of residential construction.
 - b. Community Development Department/Building and Planning divisions
 - c. Applicant/Property Owner
 - d. Design/Ongoing
12. Grading permits shall be required as specified in Mono County Code Section 13.08.030 et seq. Activities requiring a grading permit include but are not limited to land clearing/grading activities which will clear more than 10,000 square feet or requires any cuts greater than 4 feet or fill greater than 3 feet. Construction requiring more than 200 cubic yards of cut or fill will also require a grading permit.
- a. Requires monitoring over a period of time, usually linked to future development associated with approval of grading, driveway and or road improvements, and residential construction.
 - b. Department of Public Works
 - c. Applicant/Property Owner
 - d. Design/Ongoing
13. Drainage and erosion control plans shall be required of future residential construction involving more than 5,000 square feet of pad area disturbed, including secondary or accessory structures on any one parcel, at any one time. Drainage and erosion control plans shall also be required for future residential construction on any one parcel which cumulatively exceeds 20,000 square feet. If plans are required, plans will be developed with the individual project applicant, Mono County Planning Division, and Mono County Department of Public Works.
- a. Requires monitoring over a period of time, usually linked to future development.
 - b. Community Development Department, Planning Division and applicable federal and or state agency
 - c. Applicant/Property Owner
 - d. Design/Ongoing
14. Liquefied Petroleum Gas (LPG) when used shall be installed according to all applicable codes and Mono County Code 15.04.056.

- a. Generally associated with future development. Requires monitoring over a period of time. Must be satisfied prior to issuance of a building permit and or certificate of occupancy.
- b. Community Development Department/Building Division
- c. Applicant/Property Owner
- d. Design

Development Mitigation Measures

15. The project applicant will inform future owners and developers of project mitigation measures as a means of reducing or eliminating development impacts to less than significant levels. These minimum development standards shall be set forth in a note or on a supplemental map sheet of the Parcel Map and in project CC&Rs:
- A. Homeowner's dogs shall be contained within fenced areas or yards.
 - B. Dogs belonging to construction workers shall be prohibited in the project area during construction or be under the owner's complete control at all times.
 - C. Future homeowners shall aim, shield, and direct lighting downward to reduce glare.
 - D. Vegetation removal should be limited to disturbance necessary for future home construction, accessory buildings, driveways, walkways, corrals and landscaping.
 - E. Noise levels shall be in conformity with Mono County Noise Standards. Construction equipment shall be adequately muffled.
 - F. Control of dust during any construction and or land clearing activities will require watering as necessary.
 - G. Developer and future homeowners will be required to provide erosion control techniques/measures for disturbed areas not slated for development. In addition, topsoil shall be stockpiled at construction site and redistributed after disturbance.
 - H. Construction activities will take place only during daylight hours or per Mono County Code 13.08.290, whichever is more restrictive.
 - I. Future development projects shall comply with the Visual Resources requirements of the Mono County General Plan, Conservation and Open Space Element.
- a. Must be satisfied prior to recording of final map. Requires monitoring over a period of time, usually linked to future development.
 - b. Department of Public Works, Community Development Department/Planning Division
 - c. Applicant
 - d. Design/Ongoing
16. Livestock facilities (corrals, etc.) shall provide a minimum 100 feet horizontal separation setback from any animal or fowl enclosure to and from the proposed wells.
- a. Requires monitoring over a period of time, usually linked to future development associated with approval of residential construction.
 - b. Community Development/Building and Planning divisions
 - c. Applicant
 - d. Design/Ongoing
17. Domestic animals shall be restrained at all times, either through the use of leashes or private fenced areas. No animals shall be allowed to be free roaming. Horses and other grazing animals shall be penned or tethered.

- a. Requires monitoring over a period of time, usually linked to future development associated with approval of residential construction.
 - b. Community Development/Building and Planning Divisions
 - c. Applicant
 - d. Design/Ongoing
18. Future residential development should not dominate the natural environment, and should compliment existing rural character. The sighting of a project, scale, design, color and building materials for structures and fences shall harmonize with existing development in the area, the surrounding natural environment, and on-site topography. The following design guidelines are encouraged for all development:
- A. Building areas for each lot will be selected to reflect sensitivity to onsite topography and potential visual obstructions.
 - B. Roofing materials shall be non-reflective and shall be in a natural color and/or muted tones (e.g. tan, brown, dark green, or similar colors).
 - C. Bright colors or reflective materials shall not be used for any component of any structure.
 - D. Siding materials shall have a natural appearance compatible with the surrounding environment. The use of indigenous rock shall be encouraged.
 - E. Siding materials shall be stained, painted or otherwise finished in muted earth tones in order to blend into the surrounding environment.
 - F. Colors and materials for fences shall be muted and shall blend with the surrounding natural environment.
- a. Generally associated with future residential. Requires monitoring over a period of time.
 - b. Community Development Department/Planning Division
 - c. Applicant
 - d. Design
19. Exterior/outdoor lighting on individual lots shall be designed and maintained to minimize the effects of lighting on the surrounding environment. Exterior lighting shall be limited to that necessary for health and safety purposes; high intensity outdoor lighting shall be avoided or adequately shielded. All lighting must be designed to confine light rays to the premises of each individual lot. In no event shall a lighting device be placed or directed so as to permit light to fall upon a public street, adjacent lot, or adjacent land area.
- a. Generally associated with future development but may occur anytime construction and or road grading is in progress. Requires monitoring over a period of time.
 - b. Community Development Department/Planning Division
 - c. Applicant
 - d. Design
20. Landscaping shall be used to minimize potential visual impacts resulting from development. The following landscaping guidelines shall apply to all development:
- A. Landscaping shall be used to minimize or reduce potential visual impacts resulting from development.
 - B. The following elements shall be shielded using landscaping: well facilities, trash receptacles, propane tanks, and out-building structures. Trash receptacles and propane tanks may also be shielded with fencing and/or berms.
 - C. Drought-resistant landscaping (planting, soil preparation and low water use irrigation systems, etc.) shall be required. Drip irrigation systems shall be encouraged.
 - D. Use of native, indigenous species shall be encouraged.

- E. The use of larger planting stock is encouraged to accelerate the process of visual screening.
 - F. Young plants shall be protected from deer and rodents until they are established; e.g., a 5 foot wire fence or vexar tubing have been found to work well to protect seedlings from deer.
 - a. Requires monitoring over a period of time, usually linked to future development associated with approval of residential construction.
 - b. Community Development Department/Building and Planning divisions
 - c. Applicant
 - d. Design/Ongoing
21. All new utilities (water, electricity, telephone, cable TV, etc.) shall be installed underground.
- a. Requires monitoring over a period of time, usually linked to future development associated with approval of residential construction.
 - b. Community Development Department/Planning Division
 - c. Applicant
 - d. Design

Final Map Conditions

22. The project applicant shall inform future owners and developers of the project mitigation measures, as a means of reducing or eliminating impacts to less-than significant levels. Project Mitigation Measures and Map Conditions of Approval 1 – 21 shall be reiterated on a supplemental map sheet of the Parcel Map. The Map Conditions and mitigations Monitoring Program may shall also be included in recorded project CC&Rs or by other approved method(s).
- a. Must be satisfied prior to recording of final map. This information must be made part of the information given to buyers.
 - b. Department of Public Works and Community Development Department/Planning Division
 - c. Applicant
 - d. Design
23. The applicant will be required to submit a soils report or process a soils report waiver. Any such report or waiver shall be reviewed and approved by the Director of Public Works, according to the provisions of Mono County Code (MCC) Section 17.36.090.
- a. Must be satisfied prior to recording of final map.
 - b. Department of Public Works
 - c. Applicant
 - d. Design
24. Public access easements to Walker River shall be provided.
- a. Must be satisfied prior to recording of final map.
 - b. Building Department
 - c. Applicant
 - d. Design
25. The project proponents shall provide the Mono County Department of Public Works with a "will serve" letter from the Antelope Valley Fire Protection District indicating approval of the project and that the district will provide service to the proposed five parcels. Further,

the applicant shall furnish documentation from the district that the project is compliant with the FPD's requirements.

- a. Must be satisfied prior to recording of final map.
 - b. Department of Public Works
 - c. Applicant
 - d. Design
26. The proposed project will require the installation of individual sewage disposal systems on each parcel. The applicant shall submit a soils suitability report, prepared by a registered civil engineer, licensed in the State of California, supporting the suitability of soils for installation of individual sewage disposal systems. The report shall contain at a minimum, two percolation test results and two soil profile results for each new parcel to be created or alternate testing as approved by Mono County Environmental Health. The report shall document, to the satisfaction of Environmental Health that the soil structure meets or exceeds applicable state and county standards for siting and installation of individual sewage disposal systems. The report shall provide documentation that the direct, indirect and cumulative effects of the proposed individual sewage disposal systems will not significantly impact the water quality of surface waters which are listed under Section 303(b) of the Federal Clean Water Act as impaired due to accelerated eutrophication.
- a. Must be satisfied prior to recording of final map.
 - b. Environmental Health
 - c. Applicant
 - d. Design
27. Mono County Environmental Health requires that the bottom of subsurface leach fields and rock-filled infiltration trenches be a minimum of five feet above the level of seasonal high groundwater to provide adequate treatment. Soil profiles and percolation testing shall be conducted during a period of highest groundwater, preferably during the months of April or May for evidence of ground water modeling. Environmental Health shall be notified a reasonable period in advance of the conducting the required soil profiles and percolation tests so staff may make inspections. Individual sewage disposal system permits shall be obtained from Environmental Health prior to installation of septic tanks or construction of sewage disposal systems.
- a. Must be satisfied prior to recording of final map.
 - b. Environmental Health
 - c. Applicant
 - d. Design
28. The siting of individual sewage disposal systems shall comply with the California Regional Water Quality Control Board's criteria contained in the Water Quality Control Plan for the Lahontan Region. Leach fields and septic tanks shall be sited a minimum of one hundred (100) feet from any domestic well. Leach fields shall be located a minimum of fifty (50) feet from any drainage/flood course. Alternative systems, if necessary, shall be reviewed and approved in conformance with Regional Water Quality Control Board's requirements.
- a. Must be satisfied prior to recording of final map.
 - b. Environmental Health
 - c. Applicant
 - d. Design
29. The proposed location of individual sewage disposal systems and their replacement areas shall be shown on a copy of the Final Map and submitted to the Mono County Environmental Health for its review and approval. An area for future sewage disposal,

described as a replacement area, equal to 100 percent of the primary sewage disposal area, shall be set aside for future sewage disposal should the primary disposal system fail.

- a. Must be satisfied prior to recording of final map.
 - b. Environmental Health
 - c. Applicant
 - d. Design
30. Water shall be provided by individual wells drilled on each parcel. Water well construction shall conform to California Well Standards Bulletin 74-90 and water well permit requirements, as established in conformance with applicable provisions of the Mono County Code. Well permits shall be obtained from the Mono County Environmental Health prior to any on-site water development.
- a. Must be satisfied prior to recording of final map.
 - b. Environmental Health and Department of Public Works
 - c. Applicant
 - d. Design
31. The location of wells and individual sewage disposal systems shall comply with the minimum distances as stated in the amendments and guidelines adopted by the Lahontan RWQCB. Leach fields and septic tanks shall be sited a minimum of one hundred (100) feet from any domestic well. Leach fields shall be located a minimum ~~five~~ (50) one hundred (100) feet from any property line or drainage course. Alternative systems, if necessary, shall be reviewed and approved in conformance with RWQCB requirements.
- a. Generally associated with future development. Requires monitoring over a period of time. Must be satisfied prior to issuance of a building permit.
 - b. Environmental Health
 - c. Applicant
 - d. Design
32. Assurance shall be provided at the time of the final map recording that well water is adequate for domestic use in both quality and amount.
- a. Must be satisfied prior to map recordation.
 - b. Environmental Health
 - c. Applicant
 - d. Design
33. Access to Lots 1, 4 and remainder parcels shall be provided by the USFS pursuant to Alaska National Interest Land Conservation Act and implementing regulations (Code of Federal regulations, 36 CFR 251.110-114 or other applicable provision for road development. Costs associated with the acquiring USFS approval and road development is the responsibility of future property owners.

A 70'-wide easement(s) shall be provided on the Parcel Map for access, utility service, snow removal/storage, and slope maintenance (with the understanding that additional slope easements may be established if required by topography, road gradient, and as may be determined by engineering principles at the time of application for construction) as shown on the tentative map shall provided. Said easement(s) or portions thereof may be revoked upon access being approved and developed through USFS land from Burcham Flat Road. Future homeowners will be required to either improve the provisional access or

- obtain access from the USFS through implementing regulations. Said access shall meet county Road Standards for driveways and shall meet minimum Fire-Safe Standards.
- a. Must be satisfied prior to recording of final map.
 - b. Department of Public Works
 - c. Applicant
 - d. Design
34. The applicant shall provide evidence of approved access through USFS lands for proposed Parcels 2 and 3.
- a. Must be satisfied prior to recording of final map.
 - b. Department of Public Works
 - c. Applicant
 - d. Design
35. The applicant shall improve the USFS approved access road to proposed Parcels 2 and 3 to meet minimum fire-safe standards, Chapter 22, Land Development Regulations, Land Use Element of the General Plan. All costs for road improvements, testing, inspections, and any related reports, plans, and specifications shall be the responsibility of the applicant.
- a. Must be satisfied prior to recording of final map.
 - b. Department of Public Works
 - c. Applicant
 - d. Design
36. The applicant shall waive access rights to the proposed parcels from U.S. Highway 395.
- a. Must be satisfied prior to recording of final map.
 - b. Department of Public Works
 - c. Applicant
 - d. Design
37. The applicant shall dedicate drainage easements to the public as necessary.
- a. Must be satisfied prior to recording of final map.
 - b. Department of Public Works
 - c. Applicant
 - d. Design
38. Future roads constructed within the subdivision may be privately owned and maintained. The owners shall establish a maintenance entity pursuant to California Civil Code Section 845, which shall subsequently enter into agreements with individual lot owners for the routine repair, upkeep, and maintenance of subdivision roads and drainage facilities.
- a. Generally associated with future road development. Requires monitoring over a period of time. Must be satisfied prior to issuance of a grading permit for road construction or final approved road construction plan(s).
 - b. Department of Public Works
 - c. Applicant
 - d. Design
39. All future road grading and earthwork activities must be conducted in accordance with an approved road construction plan(s) and/or grading plan, and a Storm Water Pollution Prevention Plan, if required.

- a. Generally associated with future road development. Requires monitoring over a period of time. Must be satisfied prior to issuance of a grading permit for road construction or final approved road construction plan(s).
 - b. Department of Public Works
 - c. Applicant
 - d. Design
40. All exposed soil surfaces along all roads or driveways constructed in the development shall be stabilized and revegetated immediately following completion of the roads. All exposed surfaces shall be stabilized prior to the onset of winter weather if such work is to be completed the following year.
- a. Generally associated with future development. Requires monitoring over a period of time. Must be satisfied prior to issuance of a grading permit for road construction or final approved road construction plan(s).
 - b. Department of Public Works
 - c. Applicant
 - d. Design
41. Construction material (rock, debris, etc.) that is not utilized for road fill material shall be removed to a permitted disposal site or other approved site.
- a. Generally associated with future road development. Requires monitoring over a period of time. Must be satisfied prior to issuance of a grading permit for road construction or final approved road construction plan(s).
 - b. Department of Public Works
 - c. Applicant
 - d. Design
42. Erosion control devices shall be utilized as necessary to preclude offsite migration of sediment and dust during the road construction processes. Such erosion control measures may include but are not limited to filter fabric fencing, straw bales or similar filter barriers, water bars, ditching and/or other acceptable measures sufficient to control erosion and run off.
- a. Generally associated with future road development. Requires monitoring over a period of time. Must be satisfied prior to issuance of a grading permit for road construction or final approved road construction plan(s).
 - b. Public Works and Community Development Department, Planning and Building Division
 - c. Applicant
 - d. Design/Ongoing
44. An encroachment permit shall be obtained from the Mono County Department of Public Works for the new access road(s) onto Burcham Flat Road.
- a. Must be satisfied prior to recording of final map.
 - b. Department of Public Works
 - c. Applicant
 - d. Design
45. The applicant shall comply with the flood plain/floodway requirements of Land Use Element 21.180, Standards for subdivisions in Flood Plain, including:
- A. An additional sheet to the final map shall identify limits of the 100-year flood plain and allowable building pad locations and elevations.

- B. Final fill pad elevation to be certified by professional engineer or surveyor and provided to Flood Plain Administrator.
 - C. Provide method to minimize damage to septic, wells and utilities
 - a. Must be satisfied prior to map recordation.
 - b. Planning Division
 - c. Applicant
 - d. Design
46. A significant portion of the property has been identified by the Federal Emergency Management Agency as being in a 100-year flood hazard area. The final map shall display that area identified in the flood analysis as being subject to the 100-year event. All recommended mitigation measures from the Flood Analysis Report regarding the 100-year flood hazard area shall be made conditions of approval for the project.
- a. Must be satisfied prior to map recordation.
 - b. Planning Division
 - c. Applicant
 - d. Design
47. Because electrical and telephone services do not extend to the proposed parcels, the applicant has proposed alternative energy systems. Future property owners will be responsible for providing their own telephone systems and alternative energy sources. Costs associated with acquiring telephone and alternative energy sources are the responsibility of future homeowners.
- a. Generally associated with future development. Requires monitoring over a period of time. Must be satisfied prior to issuance of a building permit.
 - b. Community Development Department/Building Division
 - c. Applicant
 - d. Design

ATTACHMENTS

ANTELOPE VALLEY FIRE DISTRICT
P.O. BOX 30, COLEVILLE, CA 96107
TELEPHONE & FAX 530/495-2300

PLOT PLAN REVIEW & SIGN-OFF

PERMIT # _____

PARCEL # _____

Owner OLIVE GRAVES

Telephone # 495-1725

Physical Location of Structure 1650 BIRCHAM FLAT RD

Building type (circle) Residential Commercial / Industrial Agricultural

Covered Floor Area (up to two story) _____ sq. ft. Fee _____

Covered Floor Area (up to two story) _____ sq. ft. Fee _____

Total Fee _____

Provide Sketch of Property

REVIEW GOOD FOR ONLY
SUB-DIVIDE CLEARANCE.
PLANNING FOR HOMES BUILT
WILL REQUIRE ADDITIONAL
REVIEW.
OWNER PLAN TO HAVE ACCESS
ROADS CUT IN.
SUB-DIVIDE AREA

INSPECTED THIS LOCATION WITH THE OWNER AND FOUND IT TO HAVE ADEQUATE ROOM TO ACCOMMODATE FIRE APPARATUS. WE WILL SERVICE THIS PARCEL.
Show accessibility for fire protection

FIRE CHIEF-MICKEY CONNELLY

APPROVED M. Connelly
Fire Chief or Designee

DATE 11-9-04

RICHARD BOARDMAN
Director of Public Works

EVAN NIKIRK
Assistant Director of Public Works

STEVE ANDERSON
SW / Road Operations Manager

SUSAN ARELLANO
Administrative Assistant

County of Mono

Department of Public Works

Post Office Box 457 • 74 North School Street • Bridgeport, California 93517

TELEPHONE
(760) 932-5440

FACSIMILE
(760) 932-5441

E-MAIL
moncpw@onet.com

August 1, 2003

Keith Hartstrom
Community Development Department

RE: Parcel Map 31-86—LandTAC Comments

Public Works staff has reviewed the application for the above referenced parcel map and has the following comments:

1. Prior to tentative map approval, the applicant shall identify the proposed road alignment for access to each parcel. The alignment shall include road lengths, radius of horizontal curves, elevations, sustained and maximum grades, approximate daylight lines of required cut and fill, locations of potential drainage facilities and fire-safe features as required by the Mono County General Plan, Chapter 22. The tentative map shall also present a typical cross section for the proposed road. The cross section shall address traveled way and shoulder widths, typical cut and fill slopes, typical roadside swale design, and roadway surface treatment and compaction specifications.
2. Road improvements shall include improvements as required to meet minimum fire safe standards for the existing road which serves the proposed Parcel 3. The applicant shall also provide evidence of approved right-of-way easement through national forest service or other lands as necessary.
3. The applicant shall construct improved access roads to meet the minimum fire-safe standards. Engineered plans for road improvements shall be submitted to the Department of Public Works for review and approval. All costs for road improvements, testing, inspections, and any related reports, plans, and specifications shall be the responsibility of the applicant.
4. The applicant shall dedicate to the public for right-of-way and utility purposes a strip of land no less than 40-feet wide, 20 feet each side of the proposed road centerline. The applicant shall dedicate additional slope easements as required.
5. The applicant shall dedicate drainage easements to the public as necessary.
6. Roads constructed in the subdivision may be privately owned and maintained. The subdivider shall establish a maintenance entity pursuant to California Civil Code Section 845, which shall subsequently enter into agreements with individual lot owners for the routine repair, upkeep, and maintenance of subdivision roads and drainage facilities.
7. Public access to Walker River shall be provided on the final map.
8. The applicant shall comply with the flood plain/floodway requirements of Land Use Element 21-180, Standards for Subdivisions in Flood Plain, including:
 - a. Identify elevation of base flood
 - b. Provide elevations of proposed structures and pads. Final fill pad elevation to be certified by professional engineer or surveyor and provided to Flood Plain Administrator.
 - c. Provide method to minimize damage to septic, wells and utilities.

Please contact me if you have questions regarding these comments.

Road Operations • Engineering • Surveying • Parks • Campgrounds • Solid Waste • Airports
Fleet Maintenance • Land Development • Building Maintenance • Museums • Cemeteries



United States
Department of
Agriculture

Forest
Service

Humboldt-Tuvalu
National Forest

Bridgeport Ranger District
HCR 1 Box 1000
Bridgeport, CA 93517
(760) 932-7070 Fax (760) 932-5899

File Code: 2700-1

Date:

JAN 24 2005

Keith Hartstrom
Mono County Planning Department
Mono County Courthouse
Bridgeport, CA 93517

Dear Mr. Hartstrom,

Over the past several years, the Forest Service staff on the Bridgeport Ranger District has had several discussions and correspondence with Olive Graves regarding her attempt to sell portions of her private land in West Walker River Canyon. She is concerned about securing access to those portions of her property over National Forest lands.

Access through National Forest System lands to isolated private parcels is guaranteed by the Alaska National Interest Lands Conservation Act and implementing regulations (Code of Federal Regulations, 36 CFR 251.110-114). I have attached a copy of the Act and CFRs to help perspective buyers understand private access rights and responsibilities. Criteria, terms, and conditions of access are described in the CFRs.

Authorization to build new access routes or substantially modify existing routes across National Forest is granted when 1) alternative, off-Forest routes are not available; and 2) development by the owner is imminent.

An application and description of road design will need to be submitted by the new owners to the Forest Service. Technical parts of the application will likely require the applicants to consult a professional engineer. The new owners should recognize that they will likely bear the cost of acquiring mandatory environmental information for proposed road areas, including 1) Heritage Resource inventories and concurrence from the California State Office of Historic Preservation; 2) Threatened, Endangered, and Sensitive Species assessments. The Forest is generally able to schedule environmental documentation for non-complex projects. However, this may require up to a year or more to allow time for on the ground surveys that are time sensitive.

I would encourage any perspective buyers to consider access routes that would maximize use of existing roads and minimal additional routes across National Forest lands.

If you have additional questions, please contact Lynne Ingram, Special Uses Coordinator, at the Bridgeport Ranger Station or call (760) 932-7070 during regular business hours.

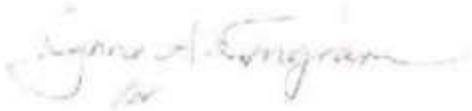
Sincerely,



Caring for the Land and Serving People

Printed on Recycled Paper





KATHLEEN LUCICH
District Ranger

cc: Olive Graves

ary shall submit to the President and the Congress a report regarding—

(A) any copyright provisions or other types of barriers which tend to restrict or limit the transfer of federally funded computer software to the private sector and to State and local governments, and agencies of such State and local governments; and

(B) the feasibility and cost of compiling and maintaining a current and comprehensive inventory of all federally funded training software.

(d) Repealed. P.L. 100-519, Title II, Sec. 212(a)(4), Oct. 24, 1988, 102 Stat. 2595

(i) Research equipment.—The Director of a laboratory, or the head of any Federal agency or department, may give research equipment that is excess to the needs of the laboratory, agency, or department to an educational institution or non-profit organization for the conduct of technical and scientific education and research activities. Title of ownership shall transfer with a gift under the section.

* * * *

Personnel Exchanges

Sec. 13. The Secretary and the National Science Foundation, jointly, shall establish a program to foster the exchange of scientific and technical personnel among academia, industry, and federal laboratories. Such program shall include both (1) federally supported exchanges and (2) efforts to stimulate exchanges without federal funding. (15 U.S.C. 3712)

50)

Alaska National Interest Lands Conservation Act

• Act of December 2, 1980 (P.L. 96-487, Title XIII; 94 Stat. 2457; 16 U.S.C. 3210)

Note—This section is not limited to the State of Alaska but has nationwide application to National Forest System lands.

Access

Sec. 1323. (a) Notwithstanding any other provision of law, and subject to such terms and conditions as the Secretary of Agriculture may prescribe, the Secretary shall provide such access to nonfederally owned land within the boundaries of the National Forest System as the Secretary deems adequate to secure to the owner the reasonable use and enjoyment thereof: *Provided*, That such owner comply with rules and

regulations applicable to ingress and egress to or from the National Forest System.

(b) Notwithstanding any other provision of law, and subject to such terms and conditions as the Secretary of the Interior may prescribe, the Secretary shall provide such access to nonfederally owned land surrounded by public lands managed by the Secretary under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701-82) as the Secretary deems adequate to secure to the owner the reasonable use and enjoyment thereof: *Provided*, That such owner comply with rules and regulations applicable to access across public lands. (16 U.S.C. 3210)

(861)

rendered by a Forest Supervisor, certain disallowed decisions rendered by Forest Service line officers, and disallowed appeal decisions rendered by Regional Foresters and the Chief (495, 496, are subject to discretionary review at the next highest administrative level. Within one day following the date of a decision subject to such discretionary review, the Reviewing Officer shall forward a copy of the decision and the initial decision upon which the appeal is predicated to the next higher officer.

(6) The next higher level officer shall have 15 calendar days from date of receipt to decide whether or not to review an appeal decision and may call for or use the appeal record in deciding whether or not to review the appeal decision. If the record is requested, the 15-day period is suspended at that time.

(7) The lower level Reviewing Officer shall forward it within 5 days of the request. Upon receipt, the higher level officer shall have 15 days to decide whether or not to review the lower level decision. If that officer takes no action by the expiration of the discretionary review period, applicant's appeal shall be considered as if it had been denied by the discretionary level officer last the appeal decision of the Reviewing Officer stands as the final administrative review decision of the Department of Agriculture.

(8) When an official exercises the discretion in §251.101(d) or §251.101(e) of this subpart to review a disallowed or appeal decision, the discretionary review shall be made on the existing appeal record and the lower level Reviewing Officer's appeal decision. The record shall not be reopened to accept additional information from any source, including the Reviewing Officer whose appeal decision is being reviewed.

(9) When an official exercises discretion to review an appeal decision, a Reviewing Officer may extend a stay, in whole or in part, during pendency of the discretionary review.

(10) The second level Reviewing Officer shall conclude the review within 30 days of the date of notice issued to an applicant that the lower level decision will be reviewed.

(11) If a discretionary review decision is not issued by the end of the 30-day review period, applicants and interested parties shall be deemed to have exhausted their administrative remedies for purposes of judicial review. In such case, applicants, intervenors, and the lower level Reviewing Officer shall be notified by 250 Discretionary Level Officer.

(12) The Reviewing Officer shall provide a copy of the decision to all applicants, intervenors, the Deciding Officer, and the lower level Reviewing Officer.

104 FR. 2008, Jan. 22, 2009, as corrected, 69 FR, final, Aug. 21, 2004, 69 FR, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

§251.101 Policy in event of judicial proceedings.
It is the position of the Department of Agriculture that any filing for Federal judicial review of and relief from a decision appealable under this subpart is premature and inappropriate, unless the applicant has first sought to resolve the dispute by invoking and exhausting the procedures of this subpart. This position may be waived only upon a written finding by the Chief.

§251.102 Applicability and effective date.
(a) Except where applicants or holders elect the decision review procedures of part 217 of this chapter, applicable decisions arising from the issuance, approval, and administration of written instruments authorizing occupancy and use of National Forest System lands made on or after February 22, 1995, shall be subject to the procedures of this part.

(b) Decisions made before February 22, 1995, resulting from the issuance, approval, and administration of written instruments authorizing occupancy and use of National Forest System lands shall be subject to appeal under the provisions of 39 CFR 211.10.

(c) Decisions made before February 22, 1995, resulting from the issuance, approval, and administration of written instruments authorizing occupancy and use of National Forest System lands shall be subject to appeal under the provisions of 39 CFR 211.10.

Support D—Access to Non-Federal Lands
Access to FR, 2007, June 14, 1999, 64 FR 6002, 6003, 6004, 6005, 6006, 6007, 6008, 6009, 6010, 6011, 6012, 6013, 6014, 6015, 6016, 6017, 6018, 6019, 6020, 6021, 6022, 6023, 6024, 6025, 6026, 6027, 6028, 6029, 6030, 6031, 6032, 6033, 6034, 6035, 6036, 6037, 6038, 6039, 6040, 6041, 6042, 6043, 6044, 6045, 6046, 6047, 6048, 6049, 6050, 6051, 6052, 6053, 6054, 6055, 6056, 6057, 6058, 6059, 6060, 6061, 6062, 6063, 6064, 6065, 6066, 6067, 6068, 6069, 6070, 6071, 6072, 6073, 6074, 6075, 6076, 6077, 6078, 6079, 6080, 6081, 6082, 6083, 6084, 6085, 6086, 6087, 6088, 6089, 6090, 6091, 6092, 6093, 6094, 6095, 6096, 6097, 6098, 6099, 6100, 6101, 6102, 6103, 6104, 6105, 6106, 6107, 6108, 6109, 6110, 6111, 6112, 6113, 6114, 6115, 6116, 6117, 6118, 6119, 6120, 6121, 6122, 6123, 6124, 6125, 6126, 6127, 6128, 6129, 6130, 6131, 6132, 6133, 6134, 6135, 6136, 6137, 6138, 6139, 6140, 6141, 6142, 6143, 6144, 6145, 6146, 6147, 6148, 6149, 6150, 6151, 6152, 6153, 6154, 6155, 6156, 6157, 6158, 6159, 6160, 6161, 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... to, and uses of the non-predelivered land for which the special-use valuation is requested.

(b) The application shall disclose the history of access to the landowner's property and any rights of access which may exist over non-federally owned land and shall provide reasons why such means of access do not provide adequate access to the landowner's property.

(c) The information required to apply for access across National Forest land under Subpart 8 of this part and signed OMB control number 0985-0065.

§ 251.118 Instrument of subordination. To grant authority to construct and/or use facilities and structures on National Forest System lands for economic or non-economic lands, the authorized officer shall issue a special-use right-of-way agreement with the provisions of Subpart 8 of this part or a Right-of-Way Construction and Use Agreement. The authorized officer may grant an agreement in accordance with the provisions of part 215 of this chapter.

§ 251.114 Criteria, terms and conditions.

(a) In issuing a special-use authorization for access to non-federal lands the authorized officer shall authorize only those access facilities or modes of access that are needed for the reasonable use and enjoyment of the land and shall minimize the impacts on the Federal resources. The authorizing officer shall determine what conditions reasonable use and enjoyment of the land of similarly situated lands in the area and any other relevant criteria.

(b) Landowners must pay an application fee for the authorized use of National Forest System lands in accordance with § 251.37 of this part.

(c) A landowner may be required to provide a reciprocal grant of access to the District Status across the landowner's property where such reciprocal grant is deemed by the authorizing officer to be necessary for the management of adjacent Federal land. In such

case, the landowner shall receive the fair market value of the right-of-way granted to the United States. If the value of the right-of-way obtained by the Government exceeds the value of the right-of-way granted, the difference in value will be paid to the landowner. If the value of the right-of-way across Government land exceeds the value of the right-of-way across the private land, an appropriate adjustment will be made in the fee charged for the special-use authorization as provided in § 251.37(b)(5) of this part.

(d) For access across National Forest System lands that will have significant non-Forest uses, a landowner may be required to construct new roads or reconstruct existing roads to bring the roads to a safe and adequate condition. A landowner also may be required to provide for the operation and maintenance of the road. This may be done by arranging for such road to be maintained by the local public road system, or by the operation and maintenance of the road to allow a private road or as a public road, as determined to be appropriate by the authorizing officer.

(e) When access is tributary to or dependent on forest development roads, and traffic over these roads arising from the use of landowner's lands exceeds their safe capacity or will cause damage to the roadway, the landowner(s) may be required to obtain a road-use permit and to perform such reconstruction as necessary to bring the road to a safe and adequate condition to accommodate such traffic. In addition, the landowner(s) also shall enter into a cooperative maintenance agreement with the Forest Service to ensure that the landowner's maintenance maintenance responsibilities continue after the permit or shall make arrangements to have the jurisdiction and maintenance responsibility for the road assessed by the appropriate public road authority.

(f) In addition to ensuring that applicable terms and conditions of jurisdiction (a) through (e) of this section are met, the authorizing officer, prior to issuing any access authorization, must also ensure that:

(1) The landowner has demonstrated a lack of any existing rights or claims of access available by deed or under State or common law;

(2) The route is so located and constructed as to minimize adverse impacts on soils, fish and wildlife, scenic, cultural, historical and endangered species, and other values of the Federal land;

(3) The location and method of access is as unobstructed as reasonably possible with the management of any concurrently designated area and is consistent with Forest Land and Resource Management Plans or the plans are amended to accommodate the access route; and

(4) When access routes cross across the adjacent non-Federal lands or the landowner's non-Federal lands, the authorizing officer is a non-Federal landowner, the applicant landowner has demonstrated that all legal resources to obtain reasonable access across adjacent non-Federal lands has been exhausted or has little chance of success.

(f) In addition to the other requirements of this section, the following factors shall be considered in authorizing access to non-federally owned lands over National Forest System lands which are components of the National Wildland Preservation System:

- (1) The use of means of ingress and egress which have been or are being demonstrated to be responsible use of the non-federally owned land.
- (2) The examination of a voluntary acquisition of land or interests in land by exchange, purchase, or donation to modify or eliminate the need to use wilderness areas for access purposes.

PART 254—LANDOWNERSHIP ADJUSTMENTS

Subpart A—Land Exchanges

§ 254.1 Scope and applicability.

§ 254.11 Requirements. 254.111 Application to initiate an exchange. 254.112 Assessed land exchange. 254.113 Exchange terms. 254.114 Assumption of costs. 254.115 Value of exchange proposal. 254.116 Approval. 254.117 Exchange at approximately equal value. 254.118 Value equalization, such equalization waiver.

§ 254.12 Approval of exchange notice of decision. 254.13 Exchange agreement. 254.14 Title transfer. 254.15 Case closure. 254.16 Information requirements.

Subpart B—National Forest Transfers

§ 254.20 Purpose and scope. 254.21 Application. 254.22 Information and public review. 254.23 Review, assessment, and approval. 254.24 Closure. 254.25 Survey. 254.26 Appeal.

Subpart C—Conveyance of Small Tracts

§ 254.27 Purpose. 254.28 Procedures. 254.29 Small rights-of-way. 254.30 National survey transfers. 254.31 Withdrawals. 254.32 Determining public interest. 254.33 Agricultural. 254.34 Public sale or acquisition in absence of application. 254.35 Valuation of tracts. 254.36 Survey. 254.37 Disposition of conveyance.

Subpart A—Land Exchanges

§ 254.111 Application to initiate an exchange. 254.112 Assessed land exchange. 254.113 Exchange terms. 254.114 Assumption of costs. 254.115 Value of exchange proposal. 254.116 Approval. 254.117 Exchange at approximately equal value. 254.118 Value equalization, such equalization waiver.

§ 254.12 Approval of exchange notice of decision. 254.13 Exchange agreement. 254.14 Title transfer. 254.15 Case closure. 254.16 Information requirements.

DEPARTMENT OF FORESTRY AND FIRE PROTECTION

San Bernardino Unit
Owens Valley Division
2781 S. Round Valley Road
Bishop, CA 93514
Website: www.fire.ca.gov
(760) 387-2565
(760) 387-2295 Facsimile



November 16, 2004

COPY

Mr. Marshal Rudolph
Mono County Counsel
P.O. Box 3329
Mammoth Lakes, CA 93546

RE: Burcham Flat Rd. &
Ms. Olive Graves' Proposed Subdivision

I met with Mr. Bruce D. Woodworth, L.S. on September 22, 2004 to inspect the Burcham Flat Road from the intersection of Camp Antelope Road to the frontage along Ms. Olive Graves' property.

In my opinion this portion of Burcham Flat Road generally meets the minimum requirements of the SRA Fire Safe Regulations, Public Resources Code 4290 and Mono County Ordinance No. 91-06. However, this road should be evaluated by a civil engineer to determine the actual percent grade, road width, horizontal and vertical curve radius. Keep in mind that the Fire Safe Regulations are intended to provide minimum fire safety standards for wildland fire protection issues. The Fire Safe road standards are not necessarily intended to meet minimum safety standards necessary for an all weather year around emergency access road.

During our meeting Mr. Woodworth inquired about whether Burcham Flat Road was exempt, pursuant to CCR Title 14 Section 1270.01, from the Fire Safe Regulations because it is an existing road. In subsequent conversations you and I also discussed this issue. The attached opinion from the California Attorney General, *Opinion No. 92-807—March 17, 1993*, seems to address this issue.

Please call me at (760) 387-2565 if you need additional information. Thank you.

RECEIVED

NOV 19 2004

MONO COUNTY
DEPT OF PUBLIC WORKS

Sincerely,

Robert F. Green
Unit Chief

By

Kenneth P. Toy
Kenneth P. Toy
Battalion Chief

cc: Mr. Bruce Woodworth, L.S., 824 Burcham Flat Rd. Coleville, CA 96107
Mr. Rich Boardman, Director Mono County Public Works

ATTACHMENT

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PLEASE REMEMBER TO CONSERVE ENERGY. FOR TIPS AND INFORMATION, VISIT "FLEX YOUR POWER" AT WWW.CA.GOV.

Appendix E

OPINION NO. 92-807—MARCH 17, 1993

Requested by: COUNTY COUNSEL, COUNTY OF AMADOR
 Opinion by: DANIEL E. LUNGREN, Attorney General
 Gregory L. Gonot, Deputy

THE HONORABLE JOHN F. HAHN, COUNTY COUNSEL, COUNTY OF AMADOR, has requested an opinion on the following question:

Do the fire safety standards adopted by the Board of Forestry for development on state responsibility area lands apply to the perimeters and access to buildings constructed after January 1, 1991, on parcels created by parcel or tentative maps approved prior to January 1, 1991?

CONCLUSION

The fire safety standards adopted by the Board of Forestry for development on state responsibility area lands apply to the perimeters and access to buildings constructed after January 1, 1991, on parcels created by parcel or tentative maps approved prior to January 1, 1991, to the extent that conditions relating to the perimeters and access to the buildings were not imposed as part of the approval of the parcel or tentative maps.

ANALYSIS

By legislation enacted in 1987 (Stats. 1987, ch. 955, § 2), the State Board of Forestry ('Board') was directed to adopt minimum fire safety standards for state responsibility area lands¹ under the authority of the Department of Forestry and Fire Protection. Public Resources Code section 4290² states:

The board shall adopt regulations implementing minimum fire safety standards related to defensible space which are applicable to state responsibility area lands under the authority of the department. These regulations apply to the perimeters and access to all residential, commercial, and industrial building construction within state responsibility areas approved after January 1, 1991.

The board may not adopt building standards, as defined in Section 18909 of the Health and Safety Code, under the authority of this section. As an integral part of fire safety standards, the State Fire Marshal has the authority to adopt regulations for roof coverings and openings into the attic areas of buildings specified in Section 13108.5 of the Health and Safety Code. The regulations apply to the placement of mobile homes as defined by National Fire Protection Association standards. *These regulations do not apply where an application for a building permit was filed prior to January 1, 1991, or to parcel or tentative maps or other developments approved prior to January 1, 1991, if the final map*

¹On state responsibility area lands (see Pub. Resources Code, §§ 4126-4127; Cal. Code Regs. tit. 14, §§1220-1220.5), the financial responsibility of preventing and suppressing fires is primarily the responsibility of the state, as opposed to local or federal agencies. (Pub. Resources Code, § 4125.)

²All references hereafter to the Public Resources Code prior to footnote 8 are by section number only.

for the tentative map is approved within the time prescribed by the local ordinance. The regulations shall include all of the following:

- "(1) Road standards for fire equipment access.
- "(2) Standards for signs identifying streets, roads, and buildings.
- "(3) Minimum private water supply reserves for emergency fire use.
- "(4) Fuel breaks and greenbelts.
- "(b) These regulations do not supersede local regulations which equal or exceed minimum regulations adopted by the state."
(Emphasis added.)

As indicated in the statute, the Board's regulations are to help create "defensible space"³ for the protection of state responsibility areas against wildfires.

Originally the regulations were to be applicable with respect to all building construction approved after July 1, 1989, but by subsequent legislation (Stats. 1989, ch. 60, § 1), the threshold date was changed to January 1, 1991. The regulations (Cal. Code Regs., tit. 14, §§ 127-1276.03)⁴ in fact became operative on May 30, 1991.

A "grandfather clause" in the underlying statute provides that "[t]hese regulations do not apply where an application for a building permit was filed prior to January 1, 1991, or to parcel or tentative maps or other developments approved prior to January 1, 1991, if the final map for the tentative map is approved within the time prescribed by the local ordinance." (§ 4290.) We are asked to determine whether the regulations apply to an application for a building permit filed *after* January 1, 1991, for a dwelling to be built on a parcel lawfully created by a parcel map or tentative map approved *prior* to January 1, 1991.

We begin by noting that the grandfather clause contains two ostensibly independent exceptions to the application of the regulations. One is directed at building permits and the other at subdivision maps.⁵ These exceptions were apparently designed by the Legislature to exempt construction and development activity already in the "pipeline" as of January 1, 1991. According to Regulation 1270.01, it is the "*future* design and construction of structures, subdivisions and development" (emphasis added) which is to trigger application of the regulations.

Thus, although an application for a building permit is not made until after January 1, 1991, the proposed construction may garner an exemption if the parcel is covered by a parcel or tentative map approved prior to January 1, 1991 (provided that the final map for the tentative map is approved within the time prescribed

³ Defensible space is defined as: "The area within the perimeter of a parcel, development, neighborhood or community where basic wild land fire protection practices and measures are implemented, providing the key point of defense from an approaching wildfire or defense against encroaching wild fires or escaping structure fires. The perimeter as used in this regulation is the area encompassing the parcel or parcels proposed for construction and/or development, excluding the physical structure itself. The area is characterized by the establishment and maintenance of emergency vehicle access, emergency water reserves, street names and building identification, and fuel modification measures." (Cal. Code Regs., tit. 14, § 1271.00.)

⁴ All references hereafter to title 14 of the California Code of Regulations are by regulation number only.

⁵ A parcel map is filed when creating subdivisions of four or fewer parcels, while a tentative map and final map are filed when creating subdivisions of five or more parcels. (Gov. Code. §§ 66426, 66428.)

by the local ordinance).⁶ However, this raises the question of the purpose of the building permit exception since virtually any application for a building permit will be preceded by a parcel or tentative map approval for the parcel upon which the construction is proposed, even one which may have been obtained in the distant past.⁷ A well-established rule of statutory construction holds that "[w]henver possible, effect should be given to the statute as a whole, and to its every word and clause, so that no part or provision will be useless or meaningless..." (*Colombo Construction Co. v. Panama Union School Dist.* (1982) 136 Cal.App.3d 868, 876; see *Harris v. Capital Growth Investors XIV* (1991) 52 Cal.3d 1149, 1159 [In analyzing statutory language, we seek to give meaning to every word and phrase in the statute to accomplish a result consistent with the legislative purpose, i.e., the object to be achieved and the evil to be prevented by the legislation".])

Our task then is to search for an interpretation of section 4290 which is not only consistent with the legislative purpose but also furnishes independent significance to each of the two exceptions. We believe that the answer lies in the different manner in which each exception is phrased. The first is "where an application for a building permit was filed prior to January 1, 1991," and the second is "to parcel or tentative maps or other developments approved prior to January 1, 1991" The "where" of the first exception implies a broad exemption encompassing all activity related to the building permit, whereas the "to" of the second exception implies an exemption which is limited to matters contained in the parcel or tentative map approval.

Under this reading of section 4290, only those perimeter and access conditions which were imposed during the parcel or tentative map approval process would be immune from the effect of the regulations. Typically, parcel and tentative map approvals include requirements for the improvement of the parcels within the subdivision. The Subdivision Map Act (Gov. Code, §§ 66410-66499.37; "Act")⁸ establishes general criteria for land development planning in the creation of subdivisions throughout the state. Cities and counties are given authority under the legislation to regulate the design and improvement of divisions of land in their areas through a process of approving subdivision maps required to be filed by each subdivider. (§ 66411; *Santa Monica Pines, Ltd. v. Rent Control Board, supra*, 35 Cal.3d 858, 869; *South Central Coast Regional Com. v. Charles A. Pratt Construction Co.* (1982) 128 Cal.App.3d 830, 844-845.) A subdivider must obtain approval of the appropriate map before the subdivided parcels are offered for sale, or lease, or are financed. (§§ 66499.30, 66499.31; *Bright v. Board of Supervisors* (1977) 66 Cal.App.3d 191, 193-194.)

The Act sets forth procedures by which cities and counties may impose a variety of specific conditions when approving the subdivision maps. Such conditions typically cover streets, public access rights, drainage, public utility easements, and parks, among other improvements. (§§ 66475-66489; see *Associated Home Builders etc., Inc. v. City of Walnut Creek* (1971) 4 Cal.3d 633, 639-647; *Ayers v. City Council of Los Angeles* (1949) 34 Cal.2d 31, 37-43.)

⁶ The approval of a final map is a ministerial function once the tentative map has been approved and the conditions that were attached to the tentative map have been fulfilled. (Gov. Code, §§ 66458, 66473, 66474, 1; *Santa Monica Pines, Ltd. v. Rent Control Board* (1984) 35 Cal.3d 858, 865; *Youngblood v. Board of Supervisors* (1978) 22 Cal.3d 644, 653.)

⁷ Statutory provisions for tentative maps and final maps first appeared in 1929 (Stats. 1929, ch. 838), while parcel maps were first required in 1971 (Stats. 1971, ch. 1446). (See Cal. Subdivision Map Act Practice (Cont.Ed.Bar 1987) §§ 1.2-1.3, pp. 3-5.)

⁸ All references hereafter to the Business and Professions Code are by section number only.

The Act vests cities and counties with the power to regulate and control the "design and improvement of subdivisions" (§ 66411) independent of the power to impose the specified conditions enumerated above. "Design" is defined as:

"... (1) street alignments, grades and widths; (2) drainage and sanitary facilities and utilities, including alignments and grades thereof; (3) location and size of all required easements and rights-of-way; (4) fire roads and firebreaks; (5) lot size and configuration; (6) traffic access; (7) grading; (8) land to be dedicated for park or recreational purposes; and (9) such other specific physical requirements in the plan and configuration of the entire subdivision as may be necessary to ensure consistency with, or implementation of, the general plan or any applicable specific plan." (§66418.)

"Improvement" is defined as:

"... any street work and utilities to be installed, or agreed to be installed, by the subdivider on the land to be used for public or private streets, highways, ways, and easements, as are necessary for the general use of the lot owners in the subdivision and local neighborhood traffic and drainage needs as a condition precedent to the approval and acceptance of the final map thereof.

"... also ... any other specific improvements or types of improvements, the installation of which, either by the subdivider, by public agencies, by private utilities, by any other entity approved by the local agency, or by a combination thereof, is necessary to ensure consistency with, or implementation of, the general plan or any applicable specific plan." (§ 66419.)

Accordingly, we believe that when a person applies for a building permit after January 1, 1991, the Board's fire safety regulations would be inapplicable as to any matters approved prior to January 1, 1991, as part of the parcel or tentative map process.⁹ By contrast, a person who applied for a building permit prior to January 1, 1991, would not be subject to any of the access or perimeter requirements set forth in the regulations.

In addition to preserving independent significance for the building permit exception, the aforementioned reading of Public Resources Code section 4290 comports with another principle of statutory construction, namely that "[e]xceptions to the general rule of a statute are to be strictly construed." (*Da Vinci Group v. San Francisco Residential Rent etc. Bd.* (1992) 5 Cal.App.4th 24, 28; see *Goins v. Board of Pension Commissioners* (1979) 96 Cal.App.3d 1005, 1009; see also *Board of Medical Quality Assurance v. Andrews* (1989) 211 Cal.App.3d 1346, 1355 [statutes conferring exemptions from regulatory schemes are narrowly construed].) More specifically, we have cited "the general rule that a grandfather clause, being contrary to the general rule expressed in a statute, must be narrowly construed. [Citations.]" (57 Ops.Cal.Atty.Gen. 284, 286 (1974).) A blanket exemption for all construction and development activity related to a parcel covered by an approved tentative or parcel map (provided the final map for the tentative map is approved within the time prescribed by the local ordinance) would violate these principles of statutory construction.

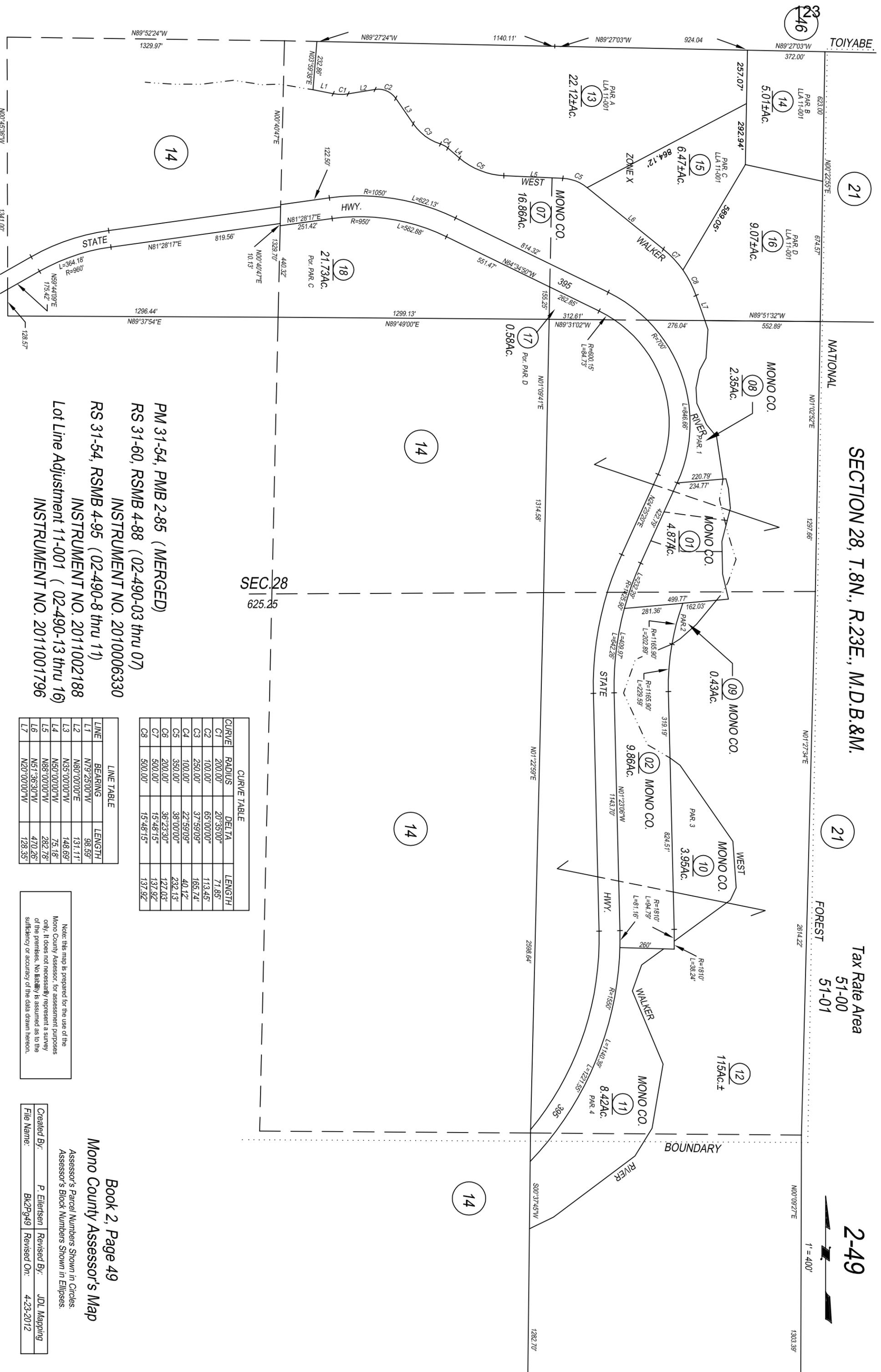
⁹ Regulation 1270.02, for example, exempts "[r]oads required as a condition of tentative [or] parcel maps prior to the effective date of these regulations...."

On the other hand, we decline to construe the grandfather clause here so narrowly that *all* of the Board's fire safety regulations become applicable when the owner of a parcel covered by a parcel or tentative map approved prior to January 1, 1991, applies for a permit to build on that parcel after January 1, 1991. To do so would mean that the exception for approved tentative or parcel maps would afford the landowner nothing at the construction and development stage. Again, we are guided by the principle that a statute should be interpreted in such a way that no part or provision will be rendered useless or meaningless. (*Colombo Construction Co. v. Panama Union School District, supra*, 136 Cal.App. 868, 876.)

Finally, we observe the rule that if more than one construction of a statute appears possible, we must adopt the one that leads to the most reasonable result. (*Industrial Indemnity Co. v. City and County of San Francisco* (1990) 218 Cal.App.3d 999, 1008.) An exemption from the regulations for those access and perimeter conditions which are included in the approval of a parcel or tentative map prior to January 1, 1991, serves to lock in reasonable entitlements while ensuring that other fire safety standards may be applied at the time a building permit is sought subsequent to January 1, 1991.

On the basis of the foregoing analysis and principles of statutory construction, we conclude that the fire safety standards adopted by the Board for development on state responsibility area lands apply to the perimeters and access to buildings constructed after January 1, 1991, on parcels created by parcel or tentative maps approved prior to January 1, 1991, to the extent that conditions relating to the perimeters and access to the buildings were not imposed as part of the approval of the parcel or tentative maps.

1" = 400'



CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH
C1	200.00'	20°35'00"	71.85'
C2	100.00'	65°00'00"	113.45'
C3	250.00'	37°59'09"	165.74'
C4	100.00'	22°59'09"	40.12'
C5	350.00'	38°00'00"	232.13'
C6	200.00'	36°23'30"	127.03'
C7	500.00'	15°48'15"	137.92'
C8	500.00'	15°48'15"	137.92'

LINE TABLE

LINE	BEARING	LENGTH
L1	N79°25'00"W	98.59'
L2	N80°00'00"E	131.11'
L3	N35°00'00"W	148.69'
L4	N50°00'00"W	75.18'
L5	N88°00'00"W	282.78'
L6	N51°36'30"W	470.26'
L7	N20°00'00"W	128.35'

Note: this map is prepared for the use of the Mono County Assessor, for assessment purposes only. It does not necessarily represent a survey of the premises. No liability is assumed as to the sufficiency or accuracy of the data drawn hereon.

PM 31-54, PMB 2-85 (MERGED)
RS 31-60, RSMB 4-88 (02-490-03 thru 07)
INSTRUMENT NO. 2010006330

RS 31-54, RSMB 4-95 (02-490-8 thru 11)
INSTRUMENT NO. 2011002188
Lot Line Adjustment 11-001 (02-490-13 thru 16)
INSTRUMENT NO. 2011001796

Book 2, Page 49
Mono County Assessor's Map
Assessor's Parcel Numbers Shown in Circles.
Assessor's Block Numbers Shown in Ellipses.

Created By:	P. Ellertsen	Revised By:	JDL Mapping
File Name:	Bk2Pg49	Revised On:	4-23-2012

Mono County Home | Parcel Viewer for Mono C. | <https://gis.mono.ca.gov/apps/pv/parcel/002490012000>

PARCEL VIEWER 4.0 | Map | Search | Results 10 | Parcel | Quick Search | gjeffrancois | Logout

PLACES | Measure Tool

002-490-012-000

[View or Print Value Notice](#)

Address

Community

Complex

Assessee Name OLIVE MAE GRAVES TRUST

Owner(s) OLIVE MAE GRAVES TRUST
2727 MIDTOWN MIDTOWN COURT,
APT. 29
PALO ALTO, CA 94303

Legal Description

Improvement Value \$105,766

Land Use Value \$28,458

Land Use Designation RR 10

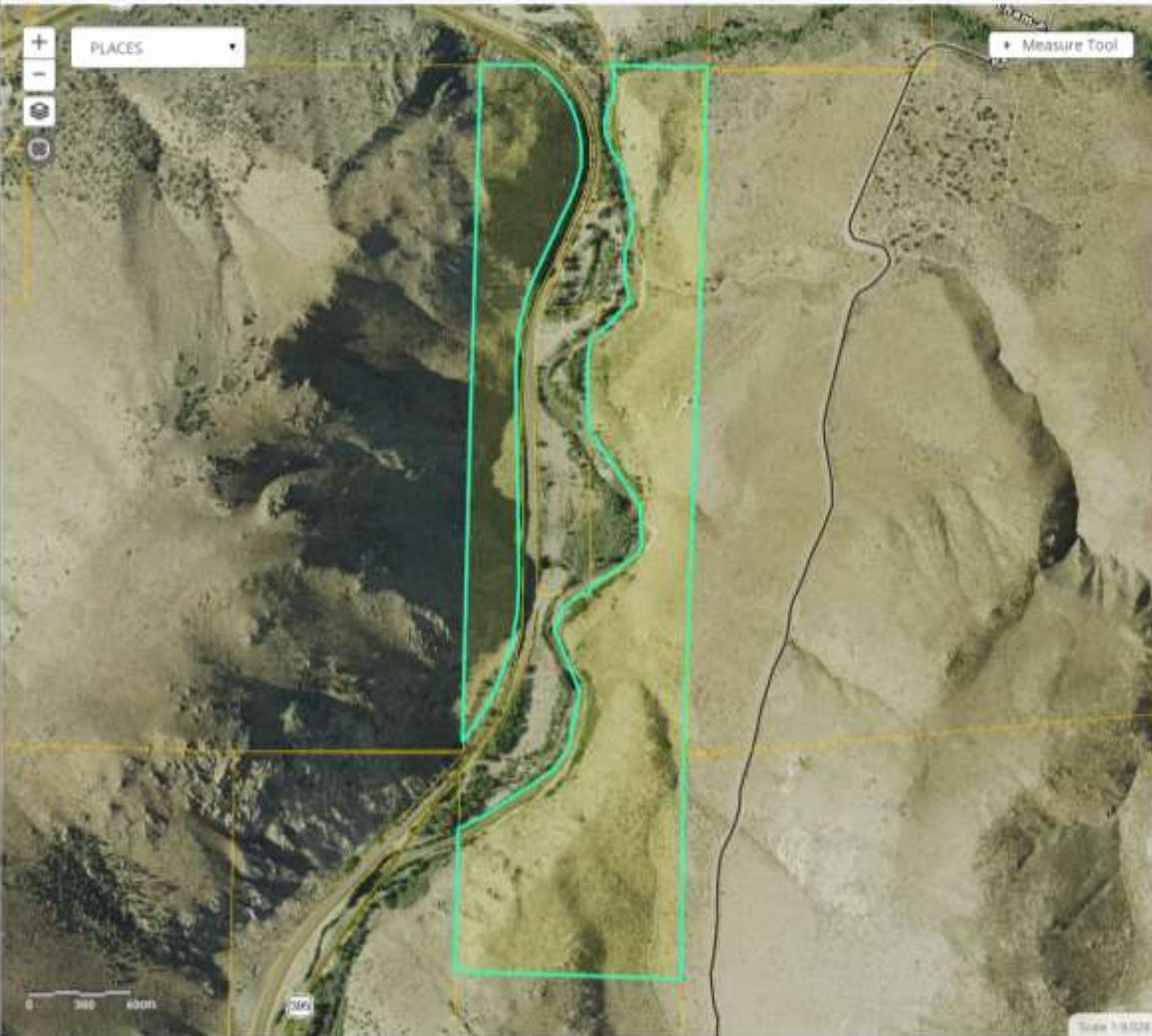
Division Type Lot

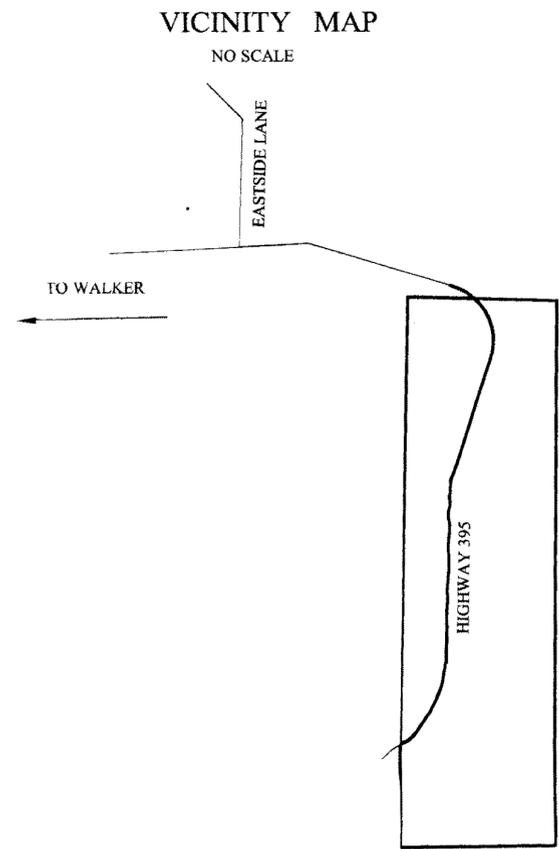
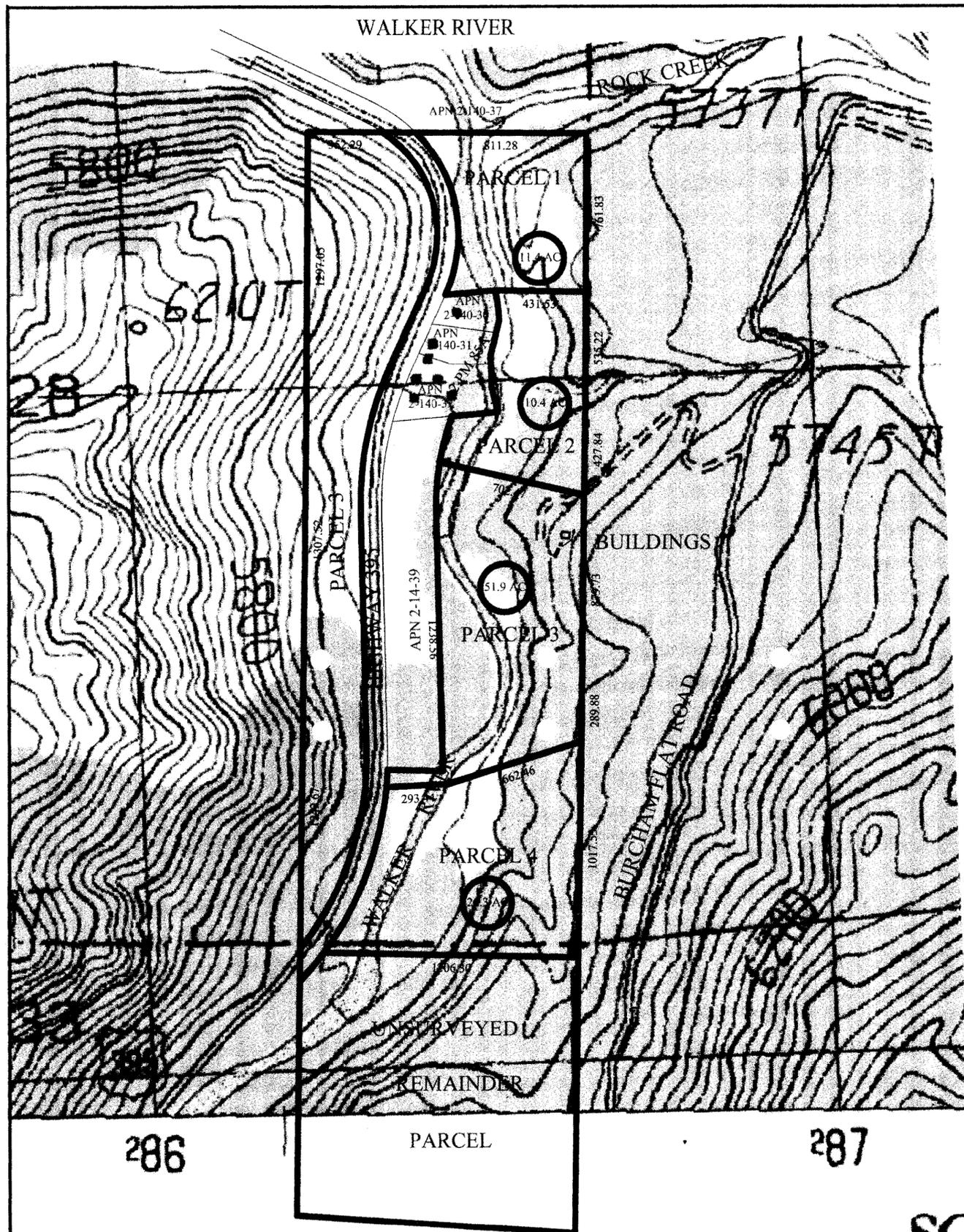
Parcel Type Land Parcel

Footprint

Calculated Acres 111.56

Tax Rate Area 051001





NOTES:

APPLICANT: OLIVE GRAVES (OWNER)
1650 BURCHAM FLAT RD.
WALKER (COLEVILLE), CA 96107
530-495-1725

PLAN PREPARER: BRUCE WOODWORTH, L.S. 4850
ARCTURUS LAND SURVEYING
824 BURCHAM FLAT RD.
WALKER (COLEVILLE), CA 96107
800-201-8700

ASSESSOR'S PARCEL NUMBER: 2-140-38

NET AREA OF PARCEL 136 ACRES +/-

EXISTING USE OF PARCEL: ONE RESIDENCE

ZONING DESIGNATION: RR 10

PROPOSED USE OF PARCELS: RESIDENTIAL LOTS
(NO DEVELOPMENT CURRENTLY PLANNED)

ADJOINING ROAD IS STATE HIGHWAY 395 WHICH HAS A
PAVEMENT WIDTH OF 28 FEET.

STRUCTURES: ONLY ON PROPOSED PARCEL 3, AS INDICATED.

UTILITIES: SEWER IS SEPTIC; POWER BY SOLAR AND
GENERATOR.

FLOOD ZONE (ZONE "A") IS LIMITED TO THE WALKER RIVER.

EASEMENTS: 1) NAVIGATION & FISHERY (WALKER RIVER)
2) STATE HIGHWAY (HIGHWAY 395)
3) POWER PLANT (WITHIN RIVER BASIN)
4) COMMUNICATION & POWER LINES

WATER: WELL FOR EXISTING RESIDENCE. NO OTHER WELLS
PROPOSED AT THIS TIME.

ACCESS: ALL PARCELS TO BE ACCESSED ACROSS NATIONAL
FOREST LAND TO THE EAST AND OFF OF BURCHAM FLAT
ROAD.



Handwritten signature

PRELIMINARY MAP
arcturus Surveys
Walker, CA 1-800-201-8700

Field Work Wy	Lands of GRAVES	
Drawing Wy	1650 Burcham Flat Rd. Walker, CA	
Archive ALDZip0303	Date: 03-24-03	Scale 1" = 400'
Cadd File 02501tm8.dwg	Sheet 1 of 1	

CD Ritter

From: Scott Burns
Sent: Tuesday, November 24, 2015 1:28 PM
To: CD Ritter
Subject: FW: Planning Commission

From: Rodger Thompson [<mailto:chiefrbt@gmail.com>]
Sent: Tuesday, November 24, 2015 12:47 PM
To: Fred Stump <fstump@mono.ca.gov>; Scott Burns <sburns@mono.ca.gov>
Subject: Planning Commission

Fred:

It is official, we have sold our house and are now residents of Plumas County therefore I must resign my position on the Commission.

Thank you for letting me serve! Sorry I did not finish my term.

Rodger