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DRAFT MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT AND INITIAL STUDY

PROJECT TITLE: Conditional Use Permit #2010-02/St. Therese Mission

PROJECT LOCATION: 881 E. Old Spanish Trail, Charleston View (APNs: 048-514-14,15,18,19,20,30,31)

PROJECT DESCRIPTION: A proposal to construct an environmental park development on 17.5 acres at 881 E. Old Spanish Trail in the far southeastern portion of Inyo County, in the community of Charleston View, approximately 20 minutes from the Pahrump, Nevada area. The project will consist of a chapel, a meditation garden to include Stations of the Cross, a restaurant facility with banquet/event capabilities, a visitor's center (to include area tourist information, "green technology" information, a playground, a dog park, and restrooms), enclosed columbarium buildings for the storage of cinerary (i.e., cremation) remains in above-ground vaults, an outdoor garden area for cinerary remains in above-ground vaults, and an on-site caretaker home (two-family unit).

The project proposes to function as a "green" technology showcase destination, employing the highest level of LEED certification for energy- and resource-efficient, environmentally conscious design, and also including: solar energy components incorporated into building design; landscaping to include grey-water recycling for irrigation; extensive drought-tolerant desert landscaping; a greenhouse and tree farm/nursery to grow and maintain vegetation for the project. The project also proposes to be used for small religious and cultural festivals.

Chapel capacity is for 100 people. Masses will be heard once a day, with near to full capacity expected on Saturday and Sunday, and about 10-20% capacity (i.e., 10-20 people) on weekdays.

The project is hoping to attract 1200 visitors per month or an average visitor count of about 40 per day. These visitors will consist of chapel-goers, diners, and visitors to the columbarium and visitor center.

The 17.5-acre site is currently consists of seven 2.5-acre parcels, which will be merged for the project. Public use roadways bi-secting the site will be abandoned/vacated, as will any unnecessary easements.

The project site is designated Resort/Recreational (REC) under the Inyo County General Plan, and is zoned Open Space, 40-acre minimum (OS-40) under the Inyo County Zoning Ordinance. A Conditional Use Permit is required in the OS-40 Zone for the uses proposed.

FINDINGS:

An Initial Study and Evaluation of Potential Impacts has been prepared by the Planning Department (attached). Staff finds that the proposed project will **NOT** have a significant adverse impact on the environment for the following reasons:

- A. The proposed project is consistent with goals and objectives of the Inyo County General Plan.
- B. The proposed project is consistent with the provisions of the Inyo County Zoning Ordinance.
- C. Potential adverse environmental impacts will not exceed thresholds of significance, either individually or cumulatively.
- D. Based upon the environmental evaluation of the proposed project, the Planning Department finds that the project does not have the potential to create a significant adverse impact on flora or fauna; natural, scenic and historic resources; the local economy; public health, safety, and welfare. This constitutes a Negative Finding for the Mandatory Findings required by Section 15065 of the CEQA Guidelines.

Mitigation will be built into the project in the following ways:

- A. Biological Resources: construction workers on site will be trained on desert tortoise issues.
- B. Fire Protection: water storage and distribution systems for fire protection will be developed for the site to the satisfaction of the Inyo County Public Works Director, who is the acting County Fire Marshall. In addition, fire resistant building materials will be incorporated into the project, as feasible.
- C. Traffic: access points into the site have been decreased; right-of-way along Old Spanish Trail will be dedicated in order to provide for acceleration/deceleration lanes, should they be deemed necessary; the project will be conditioned on providing access design that is satisfactory to Inyo County Public Works staff.

The 20-day review period for this Negative Declaration expires on **Monday, June 7, 2010**. Inyo County is not required to respond to any comments received after this date.

Additional information is available from the Inyo County Planning Department. Please contact Project Planner Tanda Gretz if you have any questions regarding this project.

Josh Hart
Director, Inyo County Planning Department

Date

Attachments:

1. General Location Map (i.e., adjacent to Old Spanish Trail, approximately 1.5 miles from the Nevada border)
2. Site Plans & Elevations
3. Applicant's Project Description
4. Well Capacity Test Report
5. Biological Survey
6. Cultural Resource Inventory

INYO COUNTY PLANNING DEPARTMENT

CEQA APPENDIX G: INITIAL STUDY & ENVIRONMENTAL CHECKLIST FORM

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance issues.



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INYO COUNTY PLANNING DEPARTMENT

APPENDIX G: CEQA INITIAL STUDY & ENVIRONMENTAL CHECKLIST FORM

- 1. Project title:** Conditional Use Permit #2010-02/St. Therese Mission
- 2. Lead agency name and address:** Inyo County Planning Department
- 3. Contact person and phone number:** Tanda Gretz, Senior Planner, (760) 878-0263
- 4. Project location:** 881 E. Old Spanish Trail, Charleston View (APNs: 048-514-14,15,18,19,20,30,31)
- 5. Project sponsor's name and address:** Randy Dizon, Magnificat Ventures Corporation, 6785 S. Eastern Avenue, #7, Las Vegas, NV 89119
- 6. General Plan designation:** Resort/Recreational (REC)
- 7. Zoning:** Open Space, 40-acre minimum (OS-40)
- 8. 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):

A proposal to construct an environmental park development on 17.5 acres at 881 E. Old Spanish Trail in the far southeastern portion of Inyo County, in the community of Charleston View, approximately 20 minutes from the Pahrump, Nevada area. The project will consist of a chapel, a meditation garden to include Stations of the Cross, a restaurant facility with banquet/event capabilities, a visitor's center (to include area tourist information, "green technology" information, a playground, a dog park, and restrooms), enclosed columbarium buildings for the storage of cinerary (i.e., cremation) remains in above-ground vaults, an outdoor garden area for cinerary remains in above-ground vaults, and an on-site caretaker home (two-family unit).

The project proposes to function as a "green" technology showcase destination, employing the highest level of LEED certification for energy- and resource-efficient, environmentally conscious design, and also including: solar energy components incorporated into building design; landscaping to include grey-water recycling for irrigation; extensive drought-tolerant desert landscaping; a

greenhouse and tree farm/nursery to grow and maintain vegetation for the project. The project also proposes to be used as an area for small religious and cultural festivals.

Chapel capacity is for 100 people. Masses will be heard once a day, with near to full capacity expected on Saturday and Sunday, and about 10-20% capacity (i.e., 10-20 people) on weekdays.

The project is hoping to attract 1200 visitors per month or an average visitor count of about 40 per day. These visitors will consist of chapel-goers, diners, and visitors to the columbarium and visitor center.

The 17.5-acre site is currently consists of seven 2.5-acre parcels, which will be merged for the project. Public use roadways bi-secting the site will be abandoned/vacated, as will any unnecessary utility easements.

The project site is designated Resort/Recreational (REC) under the Inyo County General Plan, and is zoned Open Space, 40-acre minimum (OS-40) under the Inyo County Zoning Ordinance. A Conditional Use Permit is required in the OS-40 Zone for the uses proposed.

9. Surrounding land uses and setting: Briefly describe the project’s surroundings:

Location:	Use:	Gen. Plan Designation	Zoning
Site	vacant	Resort/Recreational (REC)	Open Space, 40-acre minimum (OS-40)
North	vacant & single family home (to the northwest)	Resort/Recreational (REC)	Open Space, 40-acre minimum (OS-40)
East	vacant	Resort/Recreational (REC)	Open Space, 40-acre minimum (OS-40)
South	vacant	Resort/Recreational (REC)	Open Space, 40-acre minimum (OS-40)
West	vacant	Resort/Recreational (REC)	Open Space, 40-acre minimum (OS-40)

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

- Merger of the seven 2.5-acre lots that comprise the project site.
- Abandonment/vacation of existing right-of-ways/roadways that (internally) cross the site.

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” as indicated by the checklist on the following pages.

<input type="checkbox"/> Aesthetics Resources	<input type="checkbox"/> Agriculture & Forestry	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology /Soils
<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology / Water Quality	<input type="checkbox"/> Land Use / Planning
<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise	<input type="checkbox"/> Population / Housing
<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation	<input type="checkbox"/> Transportation/Traffic
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Utilities/Service Systems	<input type="checkbox"/> Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

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 revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that 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 "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, 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. 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, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Tanda Gretz
Senior Planner
Inyo County Planning Department

Date

INYO COUNTY PLANNING DEPARTMENT ENVIRONMENTAL CHECKLIST FORM

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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I. AESTHETICS -- Would the project:

a) Have a substantial adverse effect on a scenic vista?

No. The Charleston View area is sparsely populated, with much open space and ample unobstructed viewsheds. The proposed 17.5-acre site, while adjacent to Old Spanish Trail, will use low-profile buildings, desert colors, and desert landscaping in order to blend into it's surroundings.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Old Spanish Trail is not listed as a state scenic highway. As noted above in I.a, the Charleston View area is sparsely populated, with vast desert open areas.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

While the project site is currently vacant, and the proposed project will bring new development to the site, the proposed development is sensitive to the desert environment, using low-profile buildings, desert colors, and adding significant desert vegetation to the site. In addition, the Charleston View area is sparsely populated, with vast open spaces and viewsheds.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

No. The project will involve lighting, but a condition of project approval will be that "dark skies" lighting be employed on the site. This approach typically involves limiting the amounts of lighting taking place on site, using downward-directed lighting and/or shading all lighting fixtures. This approach results in minimal impacts and little light "pollution."

II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in

assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including The Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology Provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No. The project site is desert landscape, and does not involve farmland.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No. See II.a above.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

No. The project site is desert landscape, and does not involve forest lands.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No. See II.c above.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

No. See II.a and II.c above.

III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

No. The project proposes a low-intensity, visitor-oriented use, consisting mainly of religious chapel and memorial areas, as well as supporting restaurant/banquet and visitors center facilities. Such uses will increase use of the site, which is now vacant, but would in no way conflict with air quality plans.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

No. The uses proposed (see project description and III.a above) are relatively low intensive uses, and will not generate any substantial air quality impacts.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

No. Although there are portions of Inyo County within non-attainment areas for Federal and State PM₁₀ (particulate matter 10 microns or less in diameter) ambient air quality standards, the primary source for this pollution is the Owens dry lake, located approx. +100 miles from the project site. As a result of this distance, the project will not increase PM₁₀ pollutants over existing levels, and the project will have a less than significant impact on PM₁₀ levels.

d) Expose sensitive receptors to substantial pollutant concentrations?

No. The uses proposed are low intensity in nature and do not involve pollutants. See III.a above.

e) Create objectionable odors affecting a substantial number of people?

No. The uses proposed do not involve odors/smells. See III.a above.

IV. BIOLOGICAL RESOURCES: Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

No. A biological survey was prepared for the project and concludes that, "the project area does not appear to contain the presence of any sensitive or rare plant or animal species." More specifically, in terms of desert tortoise, the survey goes on to note that, "although the habitat is not ideal for desert tortoises, all personnel working in the area should be aware of

the potential for desert tortoise in the region surrounding the project area.”

As a result, mitigation is recommended and will be built into the conditions of approval for the project in the form of required training on desert tortoise issues for all construction workers on site.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

No. The project site is vacant desert land within the Pahrump Valley general area, and doesn't contain any specific sensitive natural community or habitat.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No. The project site consists of desert landscape, and does not contain any wetlands.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

No. The 17.5-acre site exists within a sparsely settled, largely open/vacant desert landscape with few species of any size existing within it. In addition, the project proposes relatively low-impact uses over a large area, and proposes a great deal of drought tolerant vegetation/landscaping. As a result, there will be no impediments to wildlife movement.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No. The vacant, open desert project site, together with the relatively low impact uses proposed, will have no impact on any protected resources.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No. The proposed relatively low impact uses proposed for the site will not conflict with any such known plans.

V. CULTURAL RESOURCES: Would the project:

a) Cause a substantial adverse change in the

significance of a historical resource as defined in Section 15064.5?

No. A Class III Cultural Resource Inventory was prepared for the project, with the finding that "no cultural resources were identified during the survey, neither archaeological site nor any isolated artifacts are present in the project area.....No obvious trails or old roads were visible in the aerial photographs examined in the present research" (p.11). The Inventory concludes that "no cultural resources were identified in the project area. Therefore, it is recommended that the project proceed with a finding of no effect" (p. 12).

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

No. See V.a above.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

No. See V.a above.

d) Disturb any human remains, including those interred outside of formal cemeteries?

No. See V.a above.

VI. GEOLOGY AND SOILS: Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

No. The project site is not located within an Alquist-Priolo earthquake zone.

ii) Strong seismic ground shaking?

Ground shaking may occur anywhere in the region, due to numerous earthquake faults, regardless of whether the project site is within an identified Alquist-Priolo zone or not. However, the Uniform Building Code insures that future structures shall constructed to required seismic standards (Level IV) in order to withstand such shaking, and so this potential impact is considered less than significant.

iii) Seismic-related ground failure, including liquefaction?

No. Soils are not prone to liquefaction.

iv) Landslides?

No. The topography is flat, open desert.

b) Result in substantial soil erosion or the loss of topsoil?

No. All future development on the project site is required to conform to all drainage, grading, and "Best Management Practice (BMP)" requirements as set forth by the Inyo County Public Works Department, Inyo County of Inyo Environmental Health Services Department, the California Regional Water Quality Control Board (Lahontan), and other associated regulatory agencies. As a result of this regulation, potential impacts are considered less than significant.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

No. See VI.a.iii & VI.a.iv)

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

No. Soils are not prone to expansion.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

The general project site area is sparsely populated/developed, with no sewer system available and, as a result, septic systems are used.

VII. GREENHOUSE GAS EMISSIONS:

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

No. The relatively low-intensive uses proposed for the site, together with the proposed LEED certification status, solar components, and the drought-tolerant landscaping will not result in significant emissions.

b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

No. See VII.a above.

VIII. HAZARDS AND HAZARDOUS MATERIALS:

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

No. The project does not involve hazardous materials of any kind.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

No. See VIII.a above.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No. The site is not such distance from a school. See VIII.a above.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No. The project site is not so listed.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

No. The project site is not subject to such a plan nor within such distance of an airport.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

No. The project is not near an airstrip.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

No. The project site is adjacent (on the north) to Old Spanish Trail, a two-lane county road that functions as the major roadway through the general surrounding Charleston View area. However, the low-intensity uses proposed would in no way impair such plans.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

No. The buildings proposed for the site will be sprinkled and the fire suppression system designed to the satisfaction of both the fire chief of the Southern Inyo Fire Protection District and the Inyo County Fire Marshall (i.e., the Inyo County Public Works Director). Overall, the Charleston View area is sparsely populated, open desert, and while the project proposes significant drought-tolerant landscaping (including trees) to be installed, the project is not of a size or location to result in significant such impacts.

IX. HYDROLOGY AND WATER QUALITY: Would the project:

a) Violate any water quality standards or waste discharge requirements?

No. A well capacity test report was prepared for the project and indicated that water "meets primary and secondary drinking water standards," with the exception of iron, which was slightly above (0.33 mg/l) the secondary drinking water standard (0.30 mg/l).

Waste discharge will be via septic system, with a greywater system proposed for irrigation uses. All such systems will be reviewed, permitted, and inspected by Inyo County Environmental Health Services staff, to insure compliance with all statutory requirements.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

No. The well capacity test report prepared for the project estimates that the project, at full capacity in the summer months, will need 27 gpm during a typical day (10 hours). Water capacity during the well capacity test was sustained at 60 gpm. As a result, well testing indicates that more than adequate water supplies are available for project needs.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

No. The uses proposed for the site are low-intensity, incorporating large open spaces and a significant amount of drought-tolerant vegetation over a flat desert landscape. The submission of grading and drainage plans will be required as

a condition of project approval. As result, impacts on any drainage patterns are expected to be less than significant.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site?

No. See IX.c above.

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

No. See IX.c above.

f) Otherwise substantially degrade water quality?

No. See IX.a above.

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

No. The project site is not located within a flood hazard area.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

No. See IX.g above.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

No. There are no such impacts, as the project is located in an open, flat, desert landscape.

j) Inundation by seiche, tsunami, or mudflow?

No. See IX.i above.

X. LAND USE AND PLANNING: Would the project:

a) Physically divide an established community?

No. The uses proposed by the project in no way result in physical divisions.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an

environmental effect?

No. The OS-40 zoning for the parcel allows – with approval of a Conditional Use Permit – for the various types of uses proposed on the parcel by the project (see Inyo County Code Section 18.12.040):

- Public & quasi-public buildings and uses of recreational, religious, cultural or public service nature.
- Cemeteries, crematories, mausoleums, and columbariums.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

No. The biological survey prepared for the project found that “the project area does not appear to contain the presence of any sensitive or rare plant or animal species,” and as a result, no significant impact to plants, animals or habitats are expected from the project. In addition, the significant amounts of drought-tolerant landscaping proposed by the project may enhance the desert landscape and provide some measure of additional habitat.

XI. MINERAL RESOURCES: Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No. The project does not involve mineral resources.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

No. See XI.a above.

XII. NOISE: Would the project result in the:

a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

No. The low-intensity uses proposed by the project will not involve any unusual or excessive noise levels. Construction activities of the project will likely result in increased noise levels, but such levels are temporary in nature and a natural by-product of construction activities.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

No. See XII.a above.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

No. See XII.a above.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

See. XII.a above.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

The project site is not so located.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

The project site is not so located.

XIII. POPULATION AND HOUSING -- Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

No. The uses proposed by the project are of a visiting/event/recreational nature, and, while involving assemblages of people on the site, would not induce people to take up residence nearby.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

No. The project site is currently vacant, and the uses proposed by the project will have no effect on housing.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No. See XIII.b above.

XIV. PUBLIC SERVICES: Would the project:

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

No. The low-intensity, visitor-oriented uses proposed by the project will not necessitate any significant increases in the listed government services.

In particular, however, fire protection will be more an issue post-project than pre-project, as a vacant site would be changed to one containing numerous buildings used by visiting/temporary assemblages of people. In addition, the significant amounts of landscaping proposed by the project – although drought tolerant - will also make fire protection for the site more significant post-project than pre-project. In any case, such changes are not expected to constitute substantial impacts to, or service loads upon, what existing fire protection services are able to provide. However, as mitigation against fire impacts, the capacity and design of the fire suppression system for the site, together with sprinkler requirements for site buildings, will be to the satisfaction of the Fire Chief for the Southern Inyo Fire Protection District and the County Fire Marshall (i.e., the Inyo County Public Works Director).

Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

XV. RECREATION: Would the project:

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The project itself proposes park-like facilities, including the outdoor columbarium areas, a meditation garden, a tree grove/nursery, a dog park, and a play area. While people visiting the proposed project area, may also visit area parks such as the Death Valley National Park, such increase visitation is not expected to be significant.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No. See XV.a above.

XVI. TRANSPORTATION/TRAFFIC -- Would the project:

a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system,	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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including, but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

The project is located adjacent (on the north) to Old Spanish Trail (a two-lane county highway), and anyone visiting the site will have to slow and turn off the highway onto the site, where on-site parking areas are provided both immediately adjacent to the highway and also further into the site on the west. While the general area surrounding the project site is very sparsely populated and Old Spanish Trail typically has light amounts of traffic, traffic levels can rise to higher levels on winter weekends and holidays (i.e., + 3,000 during Thanksgiving week, according to published traffic counts) due to recreationalists traveling through the area to use the Bureau of Land Management's (BLM) "Dumont Dunes" OHV area located to the south (i.e., the Dunes are located approximately 20+ miles south of Shoshone, to the east of Highway 127, in San Bernardino County).

As a result of such traffic conditions on Old Spanish Trail, the following mitigation measures have been incorporated into the project:

- *Access points into the site have been decreased down from four down to two.*
- *A 10-foot offer of right-of-way along Old Spanish Trail in order to provide enough room for the construction of acceleration and deceleration lanes into the site, should such lanes be deemed necessary for traffic safety.*
- *The project will be conditioned on providing access design that is satisfactory to Inyo County Public Works staff.*

b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

See XVI.a above.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

No. The project will have no impacts on air traffic.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

See XVI.a above.

e) Result in inadequate emergency access?

No. The project site is immediately adjacent to Old Spanish Trail, and access to the site is therefore direct.

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

See XVI.a above.

XVII. UTILITIES AND SERVICE SYSTEMS --

Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

No. The project is located in the sparsely populated area of Charleston View.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

No. An individual water well and septic system is proposed for the project.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

No. The project site is in a flat, remote desert location.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Yes. A well capacity test was performed for the project, indicating 60 gpm is available. The project is estimated to need 27 gpm, so adequate water is available.

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Individual septic is proposed for the site.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Yes. The southern Inyo County facilities are adequate for project needs.

g) Comply with federal, state, and local statutes and Inyo County Planning Department Appendix G-Environmental Checklist Form

regulations related to solid waste?

Yes. There are no components to the project that will not meet such regulations.

XVIII. 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?

No. A biological survey, a cultural resource inventory, and well capacity test report were prepared for the project, which indicate there are no threatened or endangered plants or animals, no historic or cultural resources of significance, and that there is adequate water on site for the proposed project.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

No. There are no other known projects pending in the general Charleston View area.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

No. The project proposes low-intensity uses within a development framework that is energy efficient (i.e., LEED certification, etc.) and environmentally conscious (solar, low water usage/greywater useage, drought tolerant landscaping). Adequate water has been demonstrated to be available for the project.