



**Planning Department
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DRAFT MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT AND INITIAL STUDY

PROJECT TITLE: Kemp Subdivision Project (Tentative Tract Map #248/Kemp; General Plan Amendment #2010-04/Kemp; Zone Reclassification #2010-05/Kemp).

PROJECT LOCATION: The southeast corner of the intersection of Indian Springs Drive & Tuttle Creek Road, adjacent to the community of Alabama Hills, approximately 5 miles west of the town of Lone Pine (APN 026-150-29).

PROJECT DESCRIPTION: A proposal to subdivide an approximately 630-acre parcel into twelve 2.5-acre lots (30 acres total) and one 1-acre lot for fire protection purposes ("Lot A"), with the bulk of the acreage left as a remainder parcel (597 acres). Lots 1-10 of the project site are located on the south side of Indian Springs Drive, adjacent to the community of Alabama Hills, which is located on the north side of Indian Springs Drive. Lots 11, 12, and Lot A will be located slightly more to the southwest, along Tuttle Creek Road. The site for the proposed lots is located on an area of upland, on the north-northwest edge of the Kemp Ranch property, with the bulk of the approximately 630-acre ranch property, including the saline/alkali meadow areas and areas used for cattle grazing, located to the south-southeast.

The site is currently designated and zoned Agriculture (A) and Open Space, 40-acre minimum (OS-40), respectively. The applicant proposes to change the designation and zoning for the 12 proposed lots to Residential Rural Medium Density, 2.5-acre minimum (RRM) and Rural Residential (RR), respectively, which is similar to the adjacent community of Alabama Hills. Lot A will be designated and zoned Public Facility and Public, respectively, and be dedicated for future use by the Lone Pine Fire District for fire protection purposes. The remainder parcel of 597 acres will continue unchanged from its current designation, zoning, and use as a cattle ranch.

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:

- Fire Protection: Lot A will be dedicated for future use by the Lone Pine Fire District for fire suppression purposes.
- Public Education on Bighorn Sheep: Informational handouts/flyers will be provided to homeowners concerning the possible indirect impacts of roaming dogs and uncontained livestock to Sierra Nevada bighorn sheep.

The 30-day review period for this Draft Mitigated Negative Declaration expires on **October 4, 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, AICP
Director, Inyo County Planning Department

Date

Attachments:

1. Site Plan
2. Biological Report
3. Traffic Impact Analysis Study
4. Email on Water, Soils, & Septic from Marvin Moskowitz, Director of Inyo County Environmental Health Services Department
5. Technical Memorandum: Well Construction Summary & Results of Aquifer Testing

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:** Kemp Subdivision Project (Tentative Tract Map #248/Kemp; General Plan Amendment #2010-04/Kemp; Zone Reclassification #2010-05/Kemp).
- 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:** The southeast corner of the intersection of Indian Springs Drive & Tuttle Creek Road, adjacent to the community of Alabama Hills, approximately 5 miles west of the town of Lone Pine (APN 026-150-29).
- 5. Project sponsor's name and address:** Kemp Trust (Scott Kemp, acting agent), P.O. Drawer P, Independence, CA 93526.
- 6. General Plan designation:** Currently Agriculture (A); Portions proposed to be changed to Residential Rural Medium density, 2.5-acre minimum lot size (RRM)(30 acres) and Public Service Facility (PF)(1 acre).
- 7. Zoning:** Currently Open Space, 40-acre minimum lot size (OS-40); Portions proposed to be changed to Rural Residential, 2.5-acre minimum lot size (RR-2.5) (30 acres) and Public (P) (1 acre).
- 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 subdivide an approximately 630-acre parcel into twelve 2.5-acre lots (30 acre total) and one 1-acre lot for fire protection purposes ("Lot A"), with the bulk of the acreage left as a remainder parcel (597 acres). Lots 1-10 of the project site are located on the south side of Indian Springs Drive, adjacent to the community of Alabama Hills, which is located on the north side of Indian Springs Drive. Lots 11, 12, and Lot A will be located slightly more to the southwest, along Tuttle Creek Road. The site for the proposed lots is located on an area of upland, on the north-northwest edge of the Kemp Ranch property, with the bulk of the approximately 630-acre ranch property, including the saline/alkali meadow areas and areas used for cattle grazing, located to the south-southeast.

The site is currently designated and zoned Agriculture (A) and Open Space, 40-acre minimum (OS-40), respectively. The applicant proposes to change the designation and zoning for the 12 proposed

lots to Residential Rural Medium Density, 2.5-acre minimum (RRM) and Rural Residential (RR), respectively, which is similar to the adjacent community of Alabama Hills. Lot A will be designated and zoned Public Facility (PF) and Public (P), respectively, and be dedicated for future use by the Lone Pine Fire District for fire protection purposes. The remainder parcel of 597 acres will continue unchanged from its current designation, zoning, and use as a cattle ranch.

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

Location:	Use:	Gen. Plan Designation	Zoning
Site	Pasture land, with one existing home (located on proposed Lot 12)	Agriculture (A)	Open Space, 40-acre minimum lot size (OS-40)
North	Residential development (Alabama Hills community) & Open undeveloped land (LADWP)	Residential Rural Medium Density, 2.5-acre minimum lot size (RRM) & Natural Resources (NR)	Rural Residential, 3-acre minimum lot size (RR-3) & Open Space, 40-acre minimum lot size (OS-40)
East	Residential development (Alabama Hills community) & Open undeveloped land (LADWP lands)	Residential Rural Medium Density, 2.5-acre minimum lot size (RRM) & Natural Resources (NR)	Rural Residential, 2.5-acre minimum lot size (RR-2.5) & Open Space, 40-acre minimum lot size (OS-40)
South	Open undeveloped land (BLM) & Pasture land (Kemp ranch property)	State & Federal Lands (SFL) & Agriculture (A)	Open Space, 40-acre minimum lot size (OS-40)
West	Open undeveloped land (BLM & LADWP lands)	Natural Resources (NR) State & Federal Lands (SFL)	Open Space, 40-acre minimum lot size (OS-40)

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

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?

The project will put 10 residential lots the south side of Indian Springs Drive, which is adjacent to, and to the south or west of, the community of Alabama Hills. Two additional proposed lots, as well as "Lot A" for fire protection, will be located slightly more to the southwest, along Tuttle Creek Road. The Alabama Hills community is the only subdivision in the area, and the surrounding Sierra and Inyo mountain view sheds are vast, providing numerous expansive views and vistas in all directions in the area. So, although the proposed new lots will be adjacent on the south and west to existing homes in the Alabama Hills (i.e., mostly across Indian Springs Drive, but also to the west of several existing homes located on the south side of, but the eastern end of, Indian Springs Drive), and such existing homes will undoubtedly have their southern views altered by the project, the landscape is such that numerous views and vistas remain unaffected. In particular, views east to the Inyo Mountains and west to the Sierra (except for the home(s) located adjacent and immediately east of the site) will remain largely unchanged. As a result, aesthetic impacts from the project are deemed to be less than significant/substantial.

Visitors/tourists in the southern Alabama Hills area who are traveling up into the Sierra to Horseshoe Meadows will largely be traveling along Horseshoe Meadow Road, which is located to the west of the proposed twelve new lots (i.e., closer to the Sierra than the proposed lots), and thus will not have their view shed of the Sierra changed by the project.

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

Although not designated as a state scenic highway, Horseshoe Meadow Road – which leads through the area and up into the Sierra to the west of the project site - is the road most used by visitors/non-Alabama Hills residents traveling in the area. As Horseshoe Meadow Road is located to the west of the proposed project site, visitor's views of the Sierra from that road will remain unaffected by the project.

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

The existing 5 -7 homes in the Alabama Hills subdivision that are located along Indian Springs Drive, directly north of, and across from, the proposed project site, will undoubtedly have their currently un-obstructed views to the south changed as a result of the

project. However, views both west to the Sierra and east to the Inyo Mountains will remain un-obstructed by the proposed twelve lots. In addition, the surrounding Sierra view sheds are vast, as the Sierra rises from the valley floor to its crest just to the west of the Alabama Hills area.

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

The twelve new lots will, as do the existing lots in the Alabama Hills subdivision, produce light as a by-product of residential use. However, the lots are adjacent to existing development in the Alabama Hills, and limited in number, and thus will not result in levels of light that would be deemed substantial or significant in aesthetic terms.

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. Although the larger Kemp ranch is used for cattle grazing, the project site is not listed with the California Resources Agency as Prime, Unique, or of Statewide Importance. Additionally, while the proposed twelve lots (plus Lot A) will result in 31 acres of development, the bulk of the Kemp ranch parcel (597 acres) remains unchanged and will continue to be used for cattle grazing.

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

The twelve proposed residential lots (30 acres) would be rezoned from Agriculture (A) to Rural Residential (RR), while Lot A (1 acre) would be rezoned from Agriculture (A) to Public (P) and the “remainder” parcel (597 acres) would remain as Agriculture (A) and continue to be used for cattle grazing. There are no Williamson contracts in Inyo County.

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 high desert landscape adjacent to meadow areas historically used for cattle grazing; there are no forest lands involved.

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?

See II.b 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 consists of the creation of twelve residential lots, Lot A, and the "remainder" parcel of 597 acre which will continue to be used for cattle grazing. Ten of the twelve proposed residential lots are adjacent (across Indian Springs Drive) to existing residential development in the Alabama Hills community.

Any potential pollution/emissions from the project would be likely occur in the pre-construction/construction phase of the proposed project, when vegetation is cleared from the parcels and soils are exposed and can generate dust.

All construction activities will conform to standard Best Management Practices (BMPs), which serve to reduce/eliminate such dust and other air pollution impacts during construction. In terms of potential air pollution from emissions, all construction vehicles and equipment will be required to be equipped with all standard emission abatement and control mechanisms and be in good working order at all times.

In addition, Great Basin Air Control District has authority over the area and can monitor and enforce air pollution violations by requiring dust control

measures of property owners, to include installation of sprinkling systems or other devices/products as tools to keep dust levels in check, in extreme cases.

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

No. The project's proposed creation of 12 residential lots is not expected to create any significant air quality or air pollution additions, or violate any standards. Residential use of the lots constitutes a clean use and is similar to the existing residential development in the adjacent Alabama Hills.

Some areas in Inyo County are in non-attainment for Federal and State PM₁₀ (particulate matter 10 microns or less in diameter) ambient air quality standards, primarily due to dust from Owens Dry Lake. While the proposed lots are located within approximately 5 miles of the lake, any additional emissions or pollutants from the project – above and beyond PM₁₀ issues - would be tied to pre-construction/construction activities, and are addressed above under III.a.

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

No. See III.b above.

d) Expose sensitive receptors to substantial pollutant concentrations?

There are no schools, hospitals, or day care facilities in the immediate area, although the project site is adjacent to existing residential development in the Alabama Hills. Standard air pollution control measures, such as the use of BMPs and monitoring by the Great Basin Air Control District, will keep any pollutants at less than significant levels. See III.a above.

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

No. 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 report was prepared for the project site area (attached). The survey area included the area where the

twelve residential lots and Lot A are proposed, as well as areas slightly to the south and east of the lots, where saline/alkali meadow areas are located (see p. 5, Figure 3, of the attached biological survey prepared for the project). The report concluded that “the proposed project area does not provide critical habitat for any of the federally listed or state listed threatened or endangered species. The proposed project is not likely to affect any federal or state-listed threatened or endangered species.” (p. 16)

The biological report, in its section on Sierra Nevada bighorn sheep, does note that the proposed project “may create indirect impacts to the species through the introduction of dogs and possible other domestic livestock, particularly sheep.” The report identifies the project site to be “less than 5 miles from the Mt. Langley herd area,” noting that a low elevation of 4,800 feet is used for wintering areas for bighorn sheep, and stating that lower elevation wintering areas “have been abandoned, presumably due to high predation.” Although this is a considerable distance from the project area, and at a higher elevation that the project site, mitigation for possible indirect impacts to bighorn sheep has been incorporated into the project in the form of providing informational handouts/flyers to homeowners concerning the possible indirect impacts of roaming dogs and uncontained livestock to Sierra Nevada bighorn sheep.

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. As noted above, the biological report prepared for the project found that there would be no resulting significant impacts from the proposed project. Pages 6-16 of the biological report (see attached) provides analysis of all the species surveyed for the project, which includes all threatened and endangered species, species of concern, and sensitive species known to occur, or with potential to occur, within the vicinity of the project area.

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?

The biological report prepared for the project notes that the project site is characterized by two predominant vegetation types, one of which occurs on poorly drained soils and occurs in depressions in the center of the proposed project area and is dominated by inland saltgrass, Alkali sacaton, Baltic sedge, wood rose, willow, and Cottonwood. These areas are not identified as wetlands and, in any case, project development – the creation of residential lots - is only proposed for the northern edge of the ranch property, where upland sagebrush scrub predominates.

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 biological report prepared for the project notes no significant effect to any species of wildlife surveyed. See IV.a, above, for potential indirect impact to bighorn sheep and the mitigation that has been developed for such an impact.

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

No. The proposed project does not conflict with any such ordinances or policies. The proposed project will result in a 597-acre "remainder" parcel, which will continue to be used for the same cattle grazing activities as pre-project.

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. There are no such plans in effect for the proposed project. See IV.a above.

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. There are no known significant historical or cultural resources within the area of the proposed lots, and the project site location was searched against the database of known historical sites of the Eastern Information Center ("CHRIS") at the University of California-Riverside to confirm this. The Kemp ranch has historically been used as a cattle ranch for many years and, with the exception of the 31 acres used for the proposed twelve residential lots and Lot A, the remainder of the project parcel (597 acres) will continue to be used as such.

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. There are no such known paleontological or geologic features on the project site.

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

No. There are no known human remains on the project site, and none are expected to be found. If human remains are unearthed during construction, the County Coroner and a Native American representative will be notified so that disposition of the remains can be accomplished, as is standard practice in such instances.

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. There are no earthquake faults located on the project site or in the immediate vicinity, and the site is located adjacent to existing development (across Indian Springs Drive) in the Alabama Hills community.

ii) Strong seismic ground shaking?

Ground shaking may occur anywhere in the region, due to numerous earthquake faults throughout the Owens Valley area, 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 be 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 on the site are not known to be prone to liquefaction.

iv) Landslides?

No. The site for the twelve lots and Lot A are for the most part nearly level. Site topography slopes from the west to the east side of the lots, according to plans submitted. The project site is located 1-2 miles from the base of the Sierra, which does provide the necessary elevation difference for landslides to be possible; however, such events are not typical, and even mudslides from severe mountain thunderstorms would have to travel a considerable distance to affect the proposed lots.

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

No. The project lots are nearly level, although topography slopes gently from west to east across the proposed lots. To the south of Lots 1-10, and to the east of Lots 11 -12 and Lot

A, saline/alkali meadow areas exist and most of the historic cattle grazing takes place in these areas. The rear of Lots 6 & 7, however, are areas of the proposed lots which are located nearest to the meadow areas, and may be slightly prone to erosion due to moderate elevation changes as the land changes from upland sagebrush scrub to lowland meadow areas.

However, 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. There are no such known unstable units/soils on the area where the lots will be located.

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. There are no known expansive soils on the area where the lots will be located - the area is typical upland sagebrush scrub, except for areas near the rear of Lots 6 & 7, where saline/alkali meadow areas are near.

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?

No. The soils have been evaluated by Inyo County Environmental Health Services Department staff. Staff found soils adequate for individual septic systems.

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 creation of twelve additional residential lots that are the same size as, and adjacent to, existing residential development in the Alabama Hills subdivision, is not considered to have a significant effect on such emissions.

b) Conflict with an applicable plan, policy, or regu-

lation 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 contain any sort of hazardous material component: the project consists of the creation of 12 residential lots (and Lot A, for fire protection purposes) of a similar size and type to that which is adjacent (across Indian Springs Drive) in the community of Alabama Hills.

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 project site is no located within one-quarter mile of an existing school.

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 located on any such listed site.

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 located with such a land use plan or within two miles 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 site is not within the vicinity of a private airstrip.

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

No. The project site consists of the creation of 12 residential lots located adjacent (across Indian Springs Drive) to existing, similar residential development in the community of Alabama Hills, and the project thus poses no interference threat to any such emergency 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?

The project site (and the adjacent Alabama Hills community) is designated as a "High Fire Hazard" area according to the Cal Fire-adopted (Nov. 7, 2007) "Fire Hazard Severity Zones in SRA" maps. The project site is both located within the Lone Pine Fire Protection District boundary (a local response area) and also within a State Response Area (SRA) covered by Cal-Fire, thus having dual coverage by those agencies. Proposed Lot A will serve as mitigation against fire hazards, being dedicated to the Lone Pine Fire Protection District as the site of a future fire substation, to be developed at the District's discretion.

Future development on the proposed 12 lots will be subject to all requirements of standard fire code in place at the time of development. To date, this is expected to include sprinkling of homes and/or installation of water storage tanks on individual lots, per NFPA 1142. In addition, standard Wildland Urban Interface (WUI) operating principles will likely dictate issues such as clearance space around homes, construction materials for elements such as decks and roofs, and other related issues.

IX. HYDROLOGY AND WATER QUALITY: Would the project:

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

No. Staff from the Inyo County Environmental Health Services Department have evaluated the soils of the proposed lots and found them satisfactory for individual septic and water wells.

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. A new well was constructed on proposed Lot 2 and was subjected to a pump test to determine whether there were adequate water supplies for the proposed project. Subsequent to the pump test, a technical memorandum entitled "Well Construction Summary & Results of Aquifer Testing" was produced by Richard C. Slade & Associates, consulting groundwater geologists (attached). Inyo County Environmental Health Services staff reviewed the well and aquifer information and concluded that the Slade groundwater study indicates that there appears to be adequate water to supply the project's needs (see attached email).

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?

Topographic maps show the land sloping gently west to east across the proposed twelve lots, with highly permeable soils. In addition, the project location is in a high desert environment of only 4-6 inches of rain annually, on lots sized at 2.5 acres. Drainage is predicted to remain on site, with no significant storm water runoff problems.

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. Staff from Inyo County Environmental Health Services have noted that soils on the proposed lot sites are adequate for both septic systems and water wells, and such systems will be permitted and inspected through that department.

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. There are no such flood hazard areas on the project site.

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

No. There are no such flood hazard areas on the project site.

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. The project site is not in an identified flood area or in an area that could be inundated by the failure of a levee or dam.

j) Inundation by seiche, tsunami, or mudflow?

The site is too distant to be affected by a tsunami and, while it is possible a mudflow or seiche could be produced from/in the Sierra to the west, the distance from the project site (1-2 miles) makes a significant impact unlikely.

X. LAND USE AND PLANNING: Would the project:

a) Physically divide an established community?

No. The proposed lots will be adjacent (across Indian Springs Drive) to similar residential development in the community of Alabama Hills, and will blend into that existing neighborhood/subdivision.

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?

The site for the proposed residential lots is part of a larger parcel (600+ acres) historically used for cattle ranching. Thirty-one acres of the parcel will have the land use re-designated from Agriculture (A) to Residential Rural Medium Density (RRM), and rezoned from Open Space, 40-acre minimum lot size (OS-40), to Rural Residential, 2.5-acre minimum lot size (RR-2.5). The remaining acreage of the parcel will exist as a "remainder" parcel and continue to be used for cattle grazing. As a result, the proposed project will be consistent with the Inyo County General Plan and Zoning Ordinance.

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

No. There are no such plans covering the project area. In addition, while there are saline/alkali meadow areas on the larger "remainder" parcel, the area for the proposed lots is largely typical sagebrush scrubland.

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. There are no known minerals existing on the site.

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. There are no known minerals existing on the site.

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 project proposes residential use similar to existing adjacent residential development across Indian Springs Drive. Any noise in excess of standards would take place as a result of project construction, and would be typical of such development and temporary in nature.

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?

Temporary noise in excess of noise standards may take place during construction activities. Such activity would not reach significant levels, would be typical of any such residential development, and would be temporary and of short duration.

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?

No. The project site is not subject to any such plan, nor located within two miles of a public airport.

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?

No. The project is not near a private airport.

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 project consists of twelve 2.5-acre residential lots and a one-acre lot for fire protection purposes. The proposed project is located adjacent to the existing, much larger, Alabama Hills subdivision, and is typical in size and configuration to that community. As a result it cannot be said that the project will induce substantial population growth in the area.

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

No. The proposed project site has been historically used for cattle ranching; no housing will be lost.

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:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

With the exception of fire protection, none of the above public services will need expansion, as the project proposes just 12 residential lots, which are adjacent to the already-existing, larger Alabama Hills residential subdivision.

In terms of fire protection, the project will mitigate for fire by granting the one-acre "Lot A" to the Lone Pine Fire Protection District for use as a site for a future fire sub-station, to be developed by the District at a future time that it deems appropriate.

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?

No. The addition of 12 residential lots adjacent to the existing Alabama Hills community is not deemed to result in substantial increases in the use of recreational facilities.

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?

No. No recreational facilities are planned for the project, and the projects is not of a size that it would require the expansion of existing facilities.

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, including, but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

No. The project will not result in any such impacts. A traffic analysis for the project was performed by LSA Associates (see attached), who concluded that, "as shown in Table B, Whitney Portal Road can be expected to continue to operate at Level of Service (LOS) A with the addition of project traffic" (p. 3). NOTE: The traffic analysis was run for a 15-lot project, while the proposed project consists of just 12 lots. As a result, the analysis' projections are conservative.

In addition to the traffic analysis, staff from the Inyo County Public Works-Roads department reviewed the proposed project and found that the proposed offers of dedication of rights-of way along Indian Springs Drive and Tuttle Creek Road adequate for project traffic needs. Staff also reviewed the existing right-of-way situation on Lubken Canyon Road, located to the south of the project site, and determined that the project did not necessitate acquisition of additional right-of-way for widening of that roadway.

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?

No. See above information at XVI.a.

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 is not of a size or location to result in such air traffic pattern changes.

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

No. The proposed 12 residential lots will use existing roadways; no new roads are needed or proposed.

e) Result in inadequate emergency access?

No. See XVI.d above.

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?

No. The addition of 12 residential lots adjacent to existing residential development in the Alabama Hills community will result in no such impacts.

XVII. UTILITIES AND SERVICE SYSTEMS --

Would the project:

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

No. Individual septic systems are proposed for each 2.5-acre lot, similar to adjacent development in the Alabama Hills community. Staff from the Inyo County Environmental Health Services Department have deemed project site soils adequate for such systems.

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. Individual water wells and septic systems are proposed for each 2.5-acre lot. See XVII.a above

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 proposed 2.5-acre residential lots are located on highly permeable soils, are of a 2.5 acre size, and are located in a high-desert environment with 4-6 inches of annual rain. Any storm water/drainage is expected to infiltrate on site.

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

Individual water wells are proposed for the project lots. A pump test and aquifer study prepared for the project, and reviewed by Environmental Health Services staff, indicate adequate water supplies for project needs.

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?

Not applicable – the project will be served by individual septic systems.

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

Yes. The Inyo County Lone Pine landfill has adequate capacity for the 12 proposed lots.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

Yes. The proposed lots will be subject to the same regulations as adjacent residential lots.

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 study prepared for the project found no significant effects resulting from the project. While areas on the southern portion of the overall project site contain saline/alkali meadow areas, the 12 lots proposed by the project (and Lot A, for fire protection purposes) are located on 31 acres at the northern and western edges of the ranch property, and which are largely upland, typical sagebrush scrub lands. The saline/alkali meadow acreage is located to the south-southeast of the proposed lot, and will constitute 597 acres of a "remainder" parcel, which will remain undeveloped and continue to be used for cattle grazing.

Mitigation for possible indirect impacts to bighorn sheep has been developed in the form of informational

handouts/flyers that will be provided to homeowners concerning the possible indirect impacts that roaming dogs and uncontained livestock may pose to Sierra Nevada bighorn sheep, a herd of which have been identified as at times wintering approximately 5 miles from, and at a higher elevation than, the project site.

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. The project proposes just 12 residential lots, which are adjacent to, and of a similar size to, the existing residential development of the Alabama Hills community. No other residential development is known to be proposed for the general project area.

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

No. Aesthetically, the five to seven existing homes on the west end, and north side of, Indian Springs Road will be impacted by the proposed development, as the proposed 12 lots will be located directly across the road from them. However, the Sierra view shed and crest is vast and high, and such impacts are deemed less than significant (see I.a-d, Aesthetics).

The overall project site has historically been used as a cattle ranch and contains meadow and riparian areas within its 600+ acres. However, the project proposes development for only 31 upland acres, which doesn't affect/include the saline/alkali meadow areas, and which leaves the bulk of the site acreage as a “remainder” parcel of 597 acres, which will continue to be used as a cattle ranch.

Mitigation for fire protection has been incorporated into the project in the form of Lot A, which will be transferred to the Lone Pine Fire Protection District for use as a fire substation for the area, to be developed in the future at the District's discretion.