April 26, 2017

10:00 A.M.

1. PLEDGE OF ALLEGIANCE.

2. ROLL CALL – Roll Call to be taken by staff.

3. PUBLIC COMMENT PERIOD – This is the opportunity for anyone in the audience to address the Planning Commission on any planning subject that is not scheduled on the Agenda.

4. APPROVAL OF MINUTES – Approval of minutes from the February 22, 2017 Planning Commission Meeting.

5. TENTATIVE PARCEL MAP NO. 409/STEWARD & STEWARD – The applicant proposes to subdivide a 159.3-acre parcel (APN 018-070-05 & 018-100-03) into four parcels plus a remainder. The new parcels and remainder will range from 18.54 acres to 39.82 acres. The property is known as Steward Ranch and is located at 120 Death Valley Road and 125 Steward Ranch Road and is approximately 2.8 miles east of the community of Big Pine. The proposed parcels and remainder are zoned Rural Residential with a 2.5-acre minimum (RR-2.5) and are designated by the General Plan Land Use Element as Rural Residential Medium Density (RRM). The Commission will consider adopting a Mitigated Negative Declaration for the project pursuant to CEQA.
6. **NATURAL RESOURCE ADVISORY COMMITTEE** - The Natural Resource Advisory Committee (NRAC) acts as a technical committee on natural resource matters with the goal of providing pertinent information and making recommendations to the Board of Supervisors and Planning Commission. Several of the Committee’s positions have been vacant, and a Request for Appointment has been received in response to the County’s Notice of Vacancy to recruit new members. The Planning Commission will consider making a recommendation regarding the appointment to the NRAC to the Board of Supervisors.

7. **WORKSHOP – SHORT TERM VACATION RENTALS** – The Commission requested additional information/research regarding Short Term Vacation Rentals.

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**COMMISSIONERS’ REPORT/COMMENTS**

Commissioners to give their report/comments to staff.

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**PLANNING DIRECTOR’S REPORT**

Interim Planning Director, Cathreen Richards, will update the Commission on various topics.

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**CORRESPONDENCE – INFORMATIONAL**
COUNTY OF INYO
PLANNING COMMISSION

DRAFT MINUTES OF FEBRUARY 22, 2017 MEETING

COMMISSIONERS:
FRANK STEWART  FIRST DISTRICT (CHAIR)  Inyo County Planning Commission
VACANT  SECOND DISTRICT  Post Office Drawer L
TODD VOGEL  THIRD DISTRICT  Independence, CA 93526
ROSS CORNER  FOURTH DISTRICT (VICE-CHAIR)  (760) 878-0263/(760) 872-2706
JOHN (JIM) GENTRY  FIFTH DISTRICT  (760) 872-0712 FAX

STAFF:
CATHREEN RICHARDS  INTERM PLANNING DIRECTOR
CLINT QUILTER  PUBLIC WORKS DIRECTOR
KEVIN CARUNCHIO  COUNTY ADMINISTRATOR
THOMAS SCHANIEL  ASSOCIATE PLANNER
DIANE FORTNEY  PROJECT COORDINATOR
JOHN VALLEJO  COUNTY COUNSEL

The Inyo County Planning Commission met in regular session on Wednesday, February 22, 2016, in the Administration Building, in Independence, California. Commissioner Stewart opened the meeting at 10:00 a.m.
These minutes are to be considered for approval by the Planning Commission at their next scheduled meeting.

ITEM 1:  PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was led by Commissioner Gentry at 10:00.

ITEM 2:  ROLL CALL - Commissioners: Stewart, Vogel, Corner and Gentry were present.

Staff present: Cathreen Richards, Interim Planning Director; Diane Fortney, Project Coordinator; Thomas Schaniel, Associate Planner; John Vallejo, County Counsel.

Staff absent: Clint Quilter, Public Works Director; Kevin Carunchio, County Administrator

ITEM 3:  PUBLIC COMMENT PERIOD – This item provides the opportunity for the public to address the Planning Commission on any planning subject that was not scheduled on the Agenda.

There was no one from the public that wished to comment on any planning subject that was not scheduled on the Agenda.

ITEM 4:  APPROVAL OF MINUTES (Action Item) – Approval of Minutes from January 25, 2017 meeting of the Planning Commission.

MOTION:  Moved by Commissioner Vogel and seconded by Commissioner Gentry to approve the Minutes from January 25, 2017.

The Motion passed 4-0.
ITEM 5: CONDITIONAL USE PERMIT (CUP) No. 2017-01 AND VARIANCE (VAR) No. 2017-01/ FRONTIER MOTEL – The applicant has applied for a CUP and a VAR to make an existing nonconforming sign compliant under the County’s Sign Ordinance and under the setback requirements of the Highway Service and Tourist Commercial (C2) zoning district. The sign is located at the Best Western, Frontier Motel at 1008 S. Main Street in the community of Lone Pine. The sign has been at the motel since the early 1980s and the electronic component has been there since 2012.

Ms. Richards, Interim Planning Director, presented the staff report to the Commission.

Applicant Travis Powel, Frontier Motel, was in attendance and available for questions.

Chair Stewart opened the public hearing at 10:04 a.m.; there was no one from the public that wished to comment.

MOTION: Moved by Commissioner Corner to make certain Findings with respect to and approve Conditional Use Permit 2017-01/Frontier Motel and Variance 2014-01/Frontier Motel, subject to the Conditions of Approval as recommended by staff

The motion was seconded by Commissioner Gentry.

The Motion passed 4-0

ITEM 6: DRAFT 2016 GENERAL PLAN ANNUAL PROGRESS REPORT – The Commission will review the draft 2016 General Plan Annual Progress and provide input.

Ms. Fortney, Project Coordinator, present the Draft 2016 General Plan Annual Progress Report to the Commission.

No modifications were requested by the Commission

MOTION: Moved by Commissioner Gentry to accept the Inyo County 2016 Annual Progress Report.

The motion was seconded by Commissioner Vogel.

The Motion passed 4-0


Mr. Schaniel, Associate Planner, provided a workshop concerning Short Term Vacation Rentals to the Commission.

Commissioner discussed the many options available for allowing and disallowing the operation of short term vacation rentals within the unincorporated areas of the County.
Definition of “short term vacation rental” was provided: A stay of 30 days or less, currently not allowed in residential zoning. Hostels are treated as hotel/motel and are allowed in commercial zoning.

Areas of concern if activity allowed expressed by the Commission included:

- Collection and policing of Transient Occupancy Tax (TOT);
- Increase in Personal Property Tax
- Positive/Negative effects to property values and property versatility;
- Possibility of Negative effects on neighborhoods;
- Impacts on municipalities;
- Impacts to Planning Staff if Conditional Use Permit and/or Overlay options are implemented;
- Will Short Term Vacation Rentals compete against local Hospitality or will this activity meet an unserved/underserved visitor need?
- Mono County placed a moratorium (2015) on accepting Short Term Vacation Rental use applications within the overlay area while Ordinance goes back to Public for possible revision. Under the current overlay: 6 approved applications, 6 denied;
- Majority of marketing and booking of vacation rentals is handled online may complicate oversight and
- Competition of Short Term Vacations Rentals may impact City of Bishop TOT, which represents 30% of the City of Bishops budget.

Commissioner Corner recommended the book: Air B&B Story Book for reference in understanding the issues this activity presents.

Commission requested staff research available bed count of Hotel/Motels and current Short Term Vacation Rentals advertised online within the unincorporated areas of the County.

ITEM 8: WORKSHOP –MARIJUANA/CANNABIS – The Commission will updated and review the draft presentation and tentative schedule for countywide community meetings to collect ideas and comments from the public regarding potential marijuana regulation.

Ms. Richards, Interim Planning Director, provided a workshop concerning Cannabis and upcoming Public Outreach to the Commission.

Commission discussed the issue and the following was noted:

- Inyo County voters are aligned with the State concerning this issue;
- County could adopt State rules;
- It is possible to regulate out of existence
- In some areas within the State cannabis related activity can increase property value;
- County needed to express views on for Commercial Use since code does not expressly disallow.
- Regulation of Cannabis for both commercial and recreational use is complicated
COMMISSIONERS’ REPORT/COMMENTS –

- Commissioner Vogel commented that he will be unavailable for the March meeting.
- Commissioner Gentry commented on receiving calls after last month’s meeting supporting the continued operation of the 711 Materials Cement Batch Plant in Keeler. He also noted that no public outreach for Cannabis was schedule to be held in Darwin.

DIRECTOR’S REPORT -

- Ms. Richards commented that the Board of Supervisor’s appointed a new 2nd District Planning Commissioner and she would be available to attend in March.

ADJOURNMENT - With no further business, Chair Stewart requested a motion to adjourned the meeting at 12:10 p.m. Commission to reconvene in Regular Session on March 22, 2017 at 10:00 a.m. in the Board of Supervisors Room, Administrative Center, Independence, California.

Motion by Commissioner Vogel to Adjourn.

Seconded by Commissioner Corner.

Motion passed 4-0

Prepared by:
Diane Fortney
Inyo County Planning Department
AGENDA ITEM NO.: 5 (Action Item and Public Hearing)

PLANNING COMMISSION

MEETING DATE: April 26, 2017

SUBJECT: Tentative Parcel Map No. 409 (Steward and Steward)

EXECUTIVE SUMMARY:
The applicant has applied for a TPM to divide an existing parcel totaling 159.3 acres into four parcels plus a remainder. The proposed parcel sizes are as follows: Parcel #1 – 18.54 acres; Parcel #2 – 21.33 acres; Parcel #3 – 39.79 acres; Parcel #4 – 39.79 acres; and the Remainder – 39.82 acres. The project site is known as Steward Ranch and is located at 120 Death Valley Road and 125 Steward Ranch Road, approximately 2.8 miles to the east of the community of Big Pine, California. The property is zoned Rural Residential with a 2.5 acre minimum (RR-2.5) and has a General Plan designation of Rural Residential Medium Density (RRM).

PROJECT INFORMATION

Supervisorial District: 4

Applicants: Larry Steward and Joe Steward

Landowners: Larry Lee Steward and Joseph Blain Steward, Tenants in Common

Community: Steward Ranch (near Big Pine)

A.P.N.: 018-070-05 & 018-100-03 (This is one legal parcel that has been split for tax purposes into two Assessor’s Parcel Numbers)

Existing General Plan: Rural Residential Medium Density (RRM)

Existing Zoning: Rural Residential with a 2.5-acre minimum (RR-2.5)
Surrounding Land Use: Vacant Land with Natural Resources and State and Federal Lands General Plan Designations, sometimes used for cattle grazing.

Recommended Action: 1.) Adopt the Mitigated Negative Declaration of Environmental Impact pursuant to the California Environmental Quality Act, prepared for TPM #409 Steward and Steward.

2.) Make certain findings with respect to and approve Tentative Parcel Map No. 409/Steward and Steward, subject to Conditions of Approval.

3.) Waive street improvements and utility installations required by Inyo County Code Section 16.40.10, as permitted.

Alternatives: 1.) Specify modifications to the proposal and/or the Conditions of Approval.

2.) Make specific findings and deny the application.

3.) Continue the public hearing to a future date, and provide specific direction to staff regarding additional information and analysis needed.

Project Planner: Tom Schaniel

BACKGROUND

On April 15, 2016 an application for a Tentative Parcel Map was submitted to planning staff to divide the 159.3-acre parcel of land known as Steward Ranch into 4 parcels in a remainder.

STAFF ANALYSIS

The applicant proposes to subdivide the subject 159.3-acre parcel into four parcels plus a remainder (refer to Attachment A). The remainder is a four sided roughly rectilinear parcel of 39.82 acres. This parcel is currently vacant, but has been previously disturbed for agricultural uses, and is now fallow. Parcel 1 is a four sided roughly rectilinear parcel of 18.54 acres (refer to Attachment A). This parcel has an existing single family residence and an accessory dwelling unit that is a mobile home. Various other storage and agricultural buildings exist on this property as well as several trees. Most of the rest of this parcel is vacant, with the majority being disturbed for agricultural uses, and is now fallow, but a smaller portion is under current or recent agricultural use. Parcel 2 is a 4 sided roughly rectilinear parcel of 21.33 acres (refer to Attachment A). This parcel has current or recent agricultural use on it and a reservoir basin, but is otherwise undeveloped. There is a powerline and easement crossing the south-west corner of this property. Parcel 3 is a 6 sided inverted L-shaped parcel of 39.79 acres (refer to Attachment A). This parcel has current or recent agricultural use on its northern portion, with the southern portion being previously disturbed for agricultural uses, and is now fallow. A
powerline and easement crosses this parcel diagonally, from the south-east to the north-west. Parcel 4 is a 6 sided backwards L-shaped parcel of 39.79 acres (refer to Attachment A). This parcel is previously disturbed for agricultural uses, and is now fallow. A powerline and easement crosses the north-east corner of this property. Access to all parcels is provided by Steward Ranch Road, a County maintained road bordering the remainder and parcel number one on the east side and on BLM owned land. This County maintained road transitions to a private drive at Parcel 2, continuing to provide access to Parcels 3 and 4 with a 40’ diameter turn-around split between Parcels 3 and 4. As the private portion of the road will now provide access to 2 of the parcels (and probably effectively Parcel 2) easements will need to be recorded for the private road and turn-around (refer to Attachment A). No physical improvements are proposed at this time. Parcel 1 is developed, but the other parcels could have future development permitted by the RR-2.5 zone, including: A) one single-family dwelling and one accessory dwelling unit as permitted by the State of California, including mobile homes; B) Orchards, vegetable and field crops, nurseries and gardens may also be permitted either in conjunction or not in conjunction with residential development.

Staff routed the application for TPM 409/Steward and Steward to the departments of: Assessor, Environmental Health, Public Works and the Big Pine Fire District. The department of the Treasurer/Tax Collector was also consulted to establish that taxes were currently paid. The Public Works Department provided planning staff with comments regarding the tentative map, comments included: all parcels created shall have access easement, ensuring access to the proposed parcel(s). There needs to be an “on-site” easement in favor of Parcels 2, 3, and 4 with a minimum width of 30 feet prior to final map recordation; all existing utilities which cross the Parcel lines must have easement prior to final map recordation; and prior to final map recordation the parcels must be serviced by the Big Pine Fire Department and must be in compliance with the Big Pine Fire Department’s requirements. An additional comment that the name of the Death Valley Road should have been Waucoba Saline Road was found later to not be correct. The Big Pine Fire District responded with a letter on May 18, 2016 indicating that they would be willing to provide fire service to these properties, but that if the properties were to be subdivided further, service for any further future subdivision would have to be considered at that time.

Additionally, Staff sent letters to the Big Pine Tribe of the Owens Valley, the Bishop Paiute Tribe, the Cabazon Band of Mission Indians, and the Torres Martinez Indians informing them of this project, and giving them the opportunity to request Tribal Consultation in compliance with State Assembly Bill 52. These 4 tribes have standing letters with the County requesting information and notification of projects with a CEQA component that are within the geographic area that is traditionally and culturally associated with these tribes, which potentially covered this property. No Tribal entities requested consultation.

**Land Use Analysis:** The property is surrounded by unimproved open space. This parcel has been historically zoned Rural Residential amidst surrounding undeveloped land, and the land-use will not change. The size of the proposed lots is consistent with the historical land-use. The adjacent lots are all zoned OS-40. The property to the east is owned by the U.S. Department of the Interior and administered by the Bureau of Land Management. The property to all other sides is owned by the Los Angeles Department of Water and Power. Future development of land around this subdivision is unlikely.
General Plan: The Land Use Element designates the existing parcel to be Rural Residential Medium Density (RRM). This designation allows for a maximum residential density of 1.0 dwelling unit per 2.5 acres; connection to individual water wells and individual sewage disposal systems is allowed, but community water systems are encouraged. The subdivision is consistent with the RRM land use designation as all proposed parcels and the remainder are well over 2.5 acres. The applicant has provided information indicating that there is acceptable water (on-site wells, either existing or future) and sewer (on-site septic, either existing or future) and staff has identified no conflicts with the General Plan.

Zoning: All proposed parcels will have a Zoning designation of RR-2.5. Inyo County Code (ICC) Chapter 18.21 states that the RR district has a minimum average lot width of 125-feet and requires a front yard setback of 50-feet, rear yard of 30-feet and side yards of 20-feet. As illustrated on TPM-409 (Attachment A), the parcels meet the minimum size requirements and are large enough to accommodate the required setbacks; therefore, no conflicts with the Zoning Ordinance are identified.

Subdivision: ICC Title 16 and the Subdivision Map Act (Government Code Section 66410 et seq.) regulate subdivisions. The proposed lots meet the applicable lot standards and design requirements specified in ICC Chapter 16.16, and the TPM meets the applicable preparation specifications identified in ICC Section 16.20.070 and Chapter 2, Article 3 of the Map Act. Conditions of approval are included to ensure that the final map meets the appropriate requirements specified by ICC Chapter 16.32 and Chapter 2 of the Map Act. Staff recommends that the street and utility improvements required by ICC Section 16.40.010 be waived, as these improvements have not been required for other similar subdivisions. A condition of approval is included to require such improvements in the future if they become necessary.

Access: Access to all Parcels is from Steward Ranch Road, a County maintained road that transitions into a private drive. Steward Ranch Road is off of Death Valley Road.

Utilities and Public Services: No utilities will be required for the undeveloped properties as long as they remain undeveloped, and the developed parcel is already utilizing a private well and septic system. If the proposed undeveloped parcels are developed in the future, increased demands on public services and utilities will be minimal. Water will be provided by wells and wastewater will be treated with septic systems. The size of the proposed lots indicates that the required setbacks between any future structures, wells, septic systems, and property boundaries can be easily accommodated.

The existing parcel is within the Big Pine Fire Protection district’s sphere of influence, but is not within the District’s service area. Since the proposed subdivision is not within the Fire District, it will require the additional fire findings pursuant to SB-1241, and as a condition of the approval of this process will require an out of area service agreement in place with the Big Pine Fire District prior to recordation of the final map. Since there is no development proposed at this time, the existing residence will have a minimal impact on fire service that will be offset by required fees of the out of area service agreement and future development will also be of minimal impact, and will be similarly offset by fees.
ENVIRONMENTAL REVIEW

Staff prepared a Draft Mitigated Negative Declaration of Environmental Impact and Initial Study for TPM #409/Steward and Steward and noticed and submitted it for a 30-day public review. To date, the Planning Department has received no comments on the Draft Mitigated Negative Declaration. 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. The project has impacts that will be mitigated in the areas of Hazards/Geology and Public Services. The hazard is that the north-east corner of the subdivision is in an Alquist-Priolo zone with a mitigation that a condition of approval will be that within this zone an Alquist-Priolo hazard study will need to be conducted prior to any development. The public services issue is that the property is not currently served by a fire protection district, and as a condition of approval prior to finalization of this map, proof of a service agreement with the Big Pine Fire District will have to be provided by the applicant. This project is proceeding because the Big Pine Fire District has already tentatively agreed to serve this property (see Attachment C) This constitutes a Mitigated Negative Finding for the Mandatory Findings required by Section 15065 of the CEQA Guidelines.

RECOMMENDATIONS

Staff recommends that the Planning Commission adopt the Mitigated Negative Declaration of Environmental Impact pursuant to the California Environmental Quality Act; make the findings specified below; and, approve TPM #409 (Steward and Steward) subject to Conditions of Approval and waive street improvements and utility installations required by ICC Section 16.40.010.

Recommended Findings

1. Based upon the Initial Study and all oral and written comments received, the Planning Commission adopts the Mitigated Negative Declaration of Environmental Impact and Initial Study, and certifies that the provisions of the California Environmental Quality Act have been satisfied and finds that the Mitigated Negative Declaration of Environmental Impact and Initial Study reflects the County's independent analysis and judgment and finds that the Mitigated Negative Declaration of Environmental Impact and Initial Study demonstrates that there is no substantial evidence that the project will have a significant effect on the environment.

   [Evidence: An Initial Study and Draft Mitigated Negative Declaration of Environmental Impact were prepared and circulated for public review and comment pursuant to the provisions of the California Environmental Quality Act. The 30-day public comment period ended on March 14, 2017. No additional potentially significant environmental impacts from the proposed subdivision were identified in the course of that circulation nor were any comments received.]

2. Based on substantial evidence in the record, the Planning Commission finds that the TPM is in conformance with the Inyo County General Plan, the Inyo County Zoning Ordinance, and the Inyo County Subdivision Ordinance, and the State Subdivision Map Act.
Evidence: The proposed Parcels and Remainder are consistent with the Rural Residential Medium Density (RRM) General Plan designation, as it provides for single-family residential development at a maximum of 1-dwelling units per 2.5 acres. All Parcels also meet the RR-2.5 minimum parcel size of 2.5 acres and minimum average width of 125-feet and required front yard setback of 50-feet, rear yard of 30-feet and side yards of 20-feet. The proposed lots meet the applicable requirements specified in ICC Chapter 16.16, and the TPM meets the applicable requirements of ICC Section 16.20.070 and Chapter 2, Article 3 of the Map Act. ICC Section 16.40.010 has been met as street and utility improvements required by ICC Section 16.40.010 may be waived, and since these improvements have not been required for other similar subdivisions, waiving them is appropriate. A condition of approval is included to require such improvements in the future if they become necessary. Conditions of approval are included to ensure that the final map meets the appropriate requirements specified by ICC Chapter 16.32 and Chapter 2 of the Map Act.

3. Based on substantial evidence in the record, the Planning Commission finds that the site is physically suited for the proposed type and density of development, and finds that the existing and planned public facilities and services are adequate to meet the needs of the proposed project.

Evidence: The project is consistent with the rural character of the surrounding area and potential future development will not increase demands on public services and utilities. Wells and septic systems will adequately provide for potable water and wastewater treatment for potential future development. The project is not expected to substantially increase demands for fire protection services, and what increase in demands will be offset by new fees and/or taxes. The project is to be served by the Big Pine Fire District. The TPM has been routed to appropriate County departments and the comments that were received have been addressed in the conditions of approval.

4. Based on substantial evidence in the record, the Planning Commission finds that the design of the subdivision or the types of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision, or alternate easements have been provided.

Evidence: Parcel’s 1 and 2 and the Remainder are provided access by Steward Ranch Road, a County maintained road. Access to Parcel’s 3 and 4 (and better access to Parcel 2) is provided by a private extension of Steward Ranch Road. A condition of approval will be that proper easements for this private road and a turn-around are recorded. Existing utility (electric) easements will also need to be recorded against the new parcels and that recordation is also a condition of approval.

5. Based on substantial evidence in the record, the Planning Commission finds that the design or proposed improvements are not likely to cause substantial environmental damage, or substantially and avoidably injure fish, wildlife, or their habitat, or cause serious public health, welfare, or safety problems.

Evidence: As indicated by the Draft Mitigated Negative Declaration, the project will not result in substantial impacts to the physical environment or human beings, either individually or cumulatively, or directly or indirectly. The subdivision itself will not result in physical modifications and no changes in permitted uses are proposed.
6. Based on substantial evidence in the record, the Planning Commission finds that no significant impacts to native vegetation or wildlife will result from the proposed project. [Evidence: As indicated by the Draft Mitigated Negative Declaration, the subdivision will not result in direct impacts. If the undeveloped sites are developed in the future, the subdivision’s potential indirect impacts to native vegetation and wildlife are expected be limited (especially since the sites are previously disturbed) and the project’s incremental contribution to modifying the physical environment will be insignificant.]

Conditions of Approval

1.) A Final Parcel Map in substantial conformance with the approved TPM meeting applicable requirements of ICC Chapter 16.32 and Chapter 2 of the Subdivision Map Act shall be filed for recordation within two years from the date of approval by the Planning Commission, unless a request for a time extension request per ICC Section 16.20.110 is received prior to that date and approved.

2.) Recordation of an “on-site” easement in favor of Parcels 2, 3, and 4 with a minimum width of 30 feet and a 50’ diameter turn-around easement at the end of the private extension of Steward Ranch Road, as shown in Attachment A.

3.) Recordation of easements for all existing utilities that cross any of the Parcels.

4.) Recordation of an encumbrance on the Remainder Parcel that indicates the location of the portion of the property that is in an Alquist-Priolo Fault Zone and that prior to any development of habitable structures within that zone, an Alquist-Priolo Geologic Study is required to be prepared by a licensed Geologist and any development of habitable structures must be in compliance with the findings of that Geologic Study.

5.) Provide proof of fire service from the Big Pine Fire Department, and implementation of any requirements for that fire service put forth by the Big Pine Fire Department.

6.) The applicant, landowner, and/or operator shall defend, indemnify and hold harmless Inyo County, its agents, officers and employees from any claim, action or proceeding against the County, its advisory agencies, appeal boards, or its legislative body concerning TPM No. 409/Steward and Steward or applicant’s failure to comply with conditions of approval.

7.) Payment of any delinquent and/or due taxes or special assessments shall be made to the satisfaction of the Inyo County Treasurer/Tax Collector prior to recordation of the Final Parcel Map.

8.) The applicant and its successors in interest shall improve or contribute appropriately towards the construction of all streets and utilities within and serving the subdivision per applicable standards, as may be required by the County in the future.

9.) The applicant shall be aware, and shall disclose to its successors that future development may affect waters of the State and waters of the United States. As such it is potentially subject to additional permits relating to the Federal Clean Water Act and other State laws that are administered by the Lahontan Regional Water Quality Control Board (Lahontan). A comment letter from Lahontan is included as Exhibit E, which spells out some of the concerns and potential permits that may be required by future development.
EXHIBITS

A. Tentative Map.
B. Comments provided by Public Works staff.
C. Letter from Bishop Rural Fire district.
D. Initial Study and Mitigated Negative Declaration
E. Comments on Mitigated Negative Declaration by the Lahontan Regional Water Quality Control Board
TO: Tom Schaniel, Planning Dept.

FROM: Chantel Brown, Public Works

DATE: July 8, 2016

SUBJECT: Subdivision TPM # 409/Steward & Steward

I have reviewed the subject TPM plat map and application and have the following comments or suggested changes:

1. Correct County Road name is Waucoba Saline Road and needs changed on both the map and vicinity map.
2. Approved Access: Per Inyo County Code, Title 16, Section 16.16.180 – All parcels created shall have access easements, ensuring access to the proposed parcel(s). There needs to be an “on-site” easement in favor of Parcels 2, 3, and 4 with a minimum width of 30 feet prior to final map recordation.
3. All existing utilities which cross the Parcel lines must have easements prior to final map recordation.
4. Prior to final map recordation the parcels must be serviced by the Big Pine Fire Department, and must be in compliance with Big Pine Fire Department’s requirements.

Please contact me should you have any additional requests regarding this.

Thanks,
Chantel
May 18, 2016

Inyo County Planning Department
ATTN: Tom Schaniel
PO Drawer L
Independence, CA 93526

Dear Mr. Schaniel,

On May 17, 2016, Mr. and Mrs. Joe Steward appeared before the Big Pine Fire Protection District Board of Commissioners inquiring about the possibility of the Big Pine Fire Protection District providing fire protection for the Steward Ranch property east of Big Pine.

After talking with the Stewards the Big Pine Fire Protection District Board, Chief Carrington, Assistant Fire Chief Fortney and County Counsel David Nam discussed the options that would best benefit all parties involved.

Annexing each of the five parcels of property after the ranch is divided would be our suggestion. Each parcel owner would pay a fee to the Big Pine Fire Protection District on an annual basis. This fee could be determined using the same formula that is used for the property owners in the fire district.

If in the future the parcels are developed to a greater level, then the Big Pine Fire Protection District Board would need to re-evaluate at that time.

Hopefully this will resolve any problems existing at this time. If we can be of any further assistance, please fill free to contact us through the Big Pine Fire Protection District.

Big Pine Fire Protection District
Board of Commissioners
Jeri Stout
Mike Carrington
Brian Howard
Greg Bird
Kerry Koontz
MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT AND INITIAL STUDY

PROJECT TITLE: Tentative Parcel Map (TPM) #409/Steward Ranch

PROJECT LOCATION: The project site is located at 120 Death Valley Road and 125 Steward Ranch Road, approximately 2.8 miles to the east of the community of Big Pine, California on a property currently owned by Larry Steward and Joe Steward, with Tax Assessor Parcel Numbers (APN’s) 018-070-05 and 018-100-03. See attached maps.

PROJECT DESCRIPTION: The applicant has applied for a TPM to divide an existing parcel totaling 159.3 acres into four parcels plus a remainder. The proposed parcel sizes are as follows: Parcel #1 – 39.82 acres; Parcel #2 – 21.33 acres; Parcel #3 – 39.79 acres; Parcel #4 – 39.79 acres; and the Remainder – 18.54 acres.

FINDINGS:

A. The proposed project is consistent with goals and objectives of the Inyo County General Plan. The Land Use Element designates the land both before and after subdivision as Rural Residential Medium Density (RRM). The proposed project is consistent with the County General Plan designation as it allows for a maximum residential density of 1.0-dwelling units per 2.5 acres and a minimum of 2.5-acre lots (current California Law allows for a secondary unit of limited size, that supersedes the General Plan). Connection to an acceptable sewer and water system is also mandatory. The subdivision is consistent with the RRM land use designation as all parcels after the subdivision are well over 2.5-acres and can accommodate one unit plus a State allowed secondary unit, and still have room for allowed agricultural uses, much as it is currently developed. The applicant has provided information indicating that there is acceptable water (on-site wells) and sewer (on-site septic) the Inyo County Department of Environmental Health has verified this and future development may have to provide further water and sewer, that will have to be approved by Inyo County Department of Environmental Health at the time of development.

B. The proposed project is consistent with the provisions of the Inyo County Zoning Ordinance. The land, both before and after subdivision, has a Zoning designation of RR-2.5. Inyo County Code (ICC) Chapter 18.21 states that the minimum parcel size for the RR district is 1 acre with a minimum average width of 125-feet and requires a front yard setback of 50-feet, rear yard of 30-feet and side yards of 20-feet. All proposed parcels meet the minimum size requirements (ranging from 18.54 to 39.82 acres) and are large enough to accommodate the required setbacks if future development is to occur.

C. Potential adverse environmental impacts will not exceed thresholds of significance, either individually or cumulatively.

Based on the information provided by the applicant and staff’s review, TPM 409/Steward Ranch does not have potential adverse environmental impacts that will exceed thresholds of significance, either
individually or cumulatively. The project is to subdivide two parcels of land into 4 new parcels plus a remainder; there is no development proposed for the parcels at this time. Note that it is conceivable, and consistent with current General Plan and zoning designations, that these parcels could be further subdivided. However that further subdivision would require a similar environmental review. This document is for the proposed subdivision, and future further subdivision is not considered in this environmental review, but would need to be considered at the time of such subdivision.

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 Mitigated 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:

- **Geology and Soils**: The Final Parcel Map and title for Parcel #1 will have to delineate the Alquist-Priolo Earthquake Fault Zone that runs across the North-East portion of this parcel, and encumber the title with and area corresponding to the Alquist-Priolo Earthquake Fault Zone that cannot have structures developed unless a geologic investigation is undertaken by a licensed geologist. Should such an investigation later be undertaken, then the development of structures within the Alquist-Priolo Earthquake Fault Zone would need to be consistent with the findings of the geologic investigation.

- **Hazards and Hazardous Materials**: The proposed Subdivision is not currently serviced by a Fire District. Prior to final recordation of the map, a final agreement in the form of annexation or a will-serve agreement for the subdivision will need to be in place. A tentative agreement between the current landholders and the Big Pine Fire District has been provided to the County.

The 30-day review period for this Negative Declaration expires on **March 13, 2017**. 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 Tom Schaniel (760-878-0405) if you have any questions regarding this project.

[Signature]
Cathreen Richards
Interim Director, Inyo County Planning Department

[Date]
2/10/17
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.
APPENDIX G: CEQA INITIAL STUDY & ENVIRONMENTAL CHECKLIST FORM

1. **Project title:** Tentative Parcel Map (TPM) #409/Steward Ranch

2. **Lead agency name and address:** Inyo County Planning Department, 168 N. Edwards St., P.O. Drawer L, Independence, CA 93526

3. **Contact person and phone number:** Tom Schaniel, Associate Planner, (760) 878-0405

4. **Project location:** 120 Death Valley Road and 125 Steward Ranch Road, Big Pine, CA, APN #'s 018-070-05 & 018-100-03

5. **Project sponsor’s name and address:** Larry Steward, 2362 William Morby Dr., Sparks NV, 89434 and Joe Steward, P.O. Box 204, Big Pine, CA 93513

6. **General Plan designation:** Residential Rural Medium Density (Policy LU-2.7)

7. **Zoning:** Rural Residential – Low density rural or estate residential in possible conjunction with agricultural uses, with a 2.5-acre minimum (RR-2.5)

8. **Description of project:** The applicant has applied for a TPM to divide two existing parcels totaling 159.3 acres into four parcels plus a remainder

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

   The property is surrounded by vacant undeveloped land. All of the land surrounding the proposed subdivision is zoned OS-40 and the only use is intermittent cattle grazing.

<table>
<thead>
<tr>
<th>Location</th>
<th>Use:</th>
<th>Gen. Plan Designation</th>
<th>Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site</td>
<td>SFR and Agriculture</td>
<td>Residential Rural Medium Density (RRM)</td>
<td>Rural Residential – One Family Residence with a 2.5-acre minimum (RR-2.5)</td>
</tr>
<tr>
<td>North</td>
<td>Vacant Land</td>
<td>Natural Resources (NR)</td>
<td>Open Space with a 40-acre minimum (OS-40)</td>
</tr>
<tr>
<td>East</td>
<td>Vacant Land</td>
<td>State and Federal Lands (SFL)</td>
<td>Open Space with a 40-acre minimum (OS-40)</td>
</tr>
<tr>
<td>South</td>
<td>Vacant Land</td>
<td>Natural Resources (NR)</td>
<td>Open Space with a 40-acre minimum (OS-40)</td>
</tr>
<tr>
<td>West</td>
<td>Vacant Land</td>
<td>Natural Resources (NR)</td>
<td>Open Space with a 40-acre minimum (OS-40)</td>
</tr>
</tbody>
</table>
10. **Other public agencies whose approval is required** (e.g., permits, financing approval, or participation agreement): Inyo County Department of Public Works Department.

11. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?**

   Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission’s Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

   *All tribes who have submitted a letter indicating their desire to be notified of projects subject to CEQA for the opportunity of consultation, in compliance with AB 52 and Public Resource Code Section 21080.3.1(b) were notified via a certified letter about the project and the opportunity for consultation on this project. None of the tribes contacted responded with a request for consultation, and the time to initiate (30 days from receipt of the certified letter) has passed.*

### 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.

<table>
<thead>
<tr>
<th>Aesthetics Resources</th>
<th>Agriculture &amp; Forestry</th>
<th>Air Quality</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biological Resources</td>
<td>Cultural Resources</td>
<td>Geology /Soils</td>
</tr>
<tr>
<td>Hazards &amp; Hazardous Materials</td>
<td>Hydrology / Water Quality</td>
<td>Land Use / Planning</td>
</tr>
<tr>
<td>Mineral Resources</td>
<td>Noise</td>
<td>Population / Housing</td>
</tr>
<tr>
<td>Public Services</td>
<td>Recreation</td>
<td>Transportation/Traffic</td>
</tr>
<tr>
<td>Greenhouse Gas Emissions</td>
<td>Utilities/Service Systems</td>
<td>Mandatory Findings of Significance</td>
</tr>
<tr>
<td>Tribal Cultural Resources</td>
<td></td>
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</tbody>
</table>

### 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.

Tom Schaniel, Associate Planner
Inyo County Planning Department

2/10/2017 Date
I. AESTHETICS -- Would the project:

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

The vistas in the area are of the Sierra Nevada mountains to the west and the White and Inyo Mountains to the east. The site is relatively flat, and is already moderately developed with a residence, 3 outbuildings and agricultural development. This development has virtually no impact on the scenic vistas, and any future development will have to follow the existing land use and zoning designations that apply to the parcels and is limited to a maximum of 35-feet in height and will not affect any scenic vista.

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

No, although some trees at the existing properties can barely be seen, in the distance, from the Highway-168, the proposed subdivision is already partially developed with residential and agricultural uses, and any future development will be similar; therefore, it will not have a substantial adverse effect on a scenic vista or change the current views. Future development will have to follow the existing land use and zoning designations that apply to the parcels and is limited to a maximum of 35-feet in height and will not standout or change the current view from Highway-168, the closest major road. Do note that while portions of Highway-168 are a state scenic highway, the portion in proximity of this property is not currently designated as a state scenic highway.

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

No, the proposed subdivision is already partially developed with residential and agricultural uses and any future development will be similar; therefore, it will not have a substantial adverse effect on a scenic vista. Future development will have to follow the existing land use and zoning designations that apply to the parcels, which are residential; therefore, it will conform to the existing visual character of the agricultural and rural residential surrounded by undeveloped land that already exists.

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

Future development of the site has to follow the existing land use and zoning designations that apply to the parcels including county policies for light and glare. Although there is already existing rural residential and agricultural uses on the property, and future development could add to the number of lights from the property. The remote location; the low density nature of development that would be allowed by this subdivision; and the limits in current County policies would bring any added lighting as a result of future development based on this subdivision in the range of no significant impact.
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, current zoning allows for dual use of the property for residential and agricultural uses. The subdivided land will continue to allow for these dual purposes. The entire property has been developed for agricultural use, with the exception of the residential use. Subdividing the property will make smaller properties (though still relatively large properties) that can continue to be used primarily for agricultural purposes while adding additional residential usage.

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

No, the proposed subdivision is compatible with existing and future agricultural uses on the property; there are no Williamson Act 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 proposed subdivision does not include forest land or timber land.

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

No, the proposed subdivision does not include forest land.

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?

No, the proposed subdivision does not include forest land, and existing farm land will largely remain the same.
**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 is a proposed subdivision of two parcels into four parcels plus a remainder. It will not conflict with an air quality plan.

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

The project is a proposed subdivision of two parcels into four parcels plus a remainder that will not cause a violation of an air quality standard. Future development could reduce air quality during construction, but these air quality changes would be temporary in nature, not significant, and regulated by Inyo County Code.

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, the project is a proposed subdivision of two parcels into four parcels plus a remainder that will not cause a net increase in air pollutants. 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 approximately 50-miles from the project site. As a result of this distance, future development will not discernably increase PM10 pollutants over existing levels.

d) Expose sensitive receptors to substantial pollutant concentrations?

No, the project is a proposed subdivision of two parcels into four parcels plus a remainder that will not expose sensitive receptors to substantial pollutant concentrations. Please also see IIIc above.

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

It is possible that the agricultural uses on the property could create odors that may be objectionable to some people. However, because of the remote location of this development (surrounded by land owned by the Los Angeles Department of Water and Power and the Bureau of Land Management) that is undeveloped and unlikely to be developed in the foreseeable future, there are not a substantial amount of people near this site to affect.

**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, there are no identified species located in the proposed subdivision area. The surrounding area is undeveloped, and while there are nearby areas with identified habitats for candidate, sensitive or special status species as designated by the California Department of Fish and Game, all are enough removed in proximity as to assert that this already developed land will not affect these habitats or species.
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, there is no riparian habitat located in the proposed subdivision area. The surrounding area is undeveloped and generally of a desert ecosystem. Additionally, the site has been disturbed with current and prior agricultural and residential uses.

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, there are no federally protected wetlands in the proposed subdivision area. The surrounding area is undeveloped and generally of a desert ecosystem. Additionally, the site has been disturbed with current and prior agricultural and residential uses.

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, there are no established native resident or migratory wildlife corridors in the proposed subdivision area, nor is there documented movement of fish or wildlife species. The surrounding area is undeveloped and generally of a desert ecosystem. Additionally, the site has been disturbed with current and prior agricultural and residential uses.

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

No, the project is a proposed subdivision of two parcels into 4 new parcels plus a remainder. It will not conflict with any local policies or ordinances including a tree preservation policy or ordinance.

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 area of the proposed subdivision is not subject to a Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

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?

The proposed subdivision is already developed as a residential and agricultural property with none of the existing structures being identified as historic; therefore, future development also will not cause an adverse change in the significance of a historic resource pursuant to Section 15064.5.

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

The proposed subdivision is also on already disturbed land with no known archaeological resources, so future development also will not cause an adverse change in the significance of an archaeological resource pursuant to Section 15064.5.
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The proposed subdivision is on already disturbed land with no known paleontological resources, so future development will not directly or indirectly destroy a unique paleontological resource.

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
</table>

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

The proposed subdivision is on already disturbed land, with no known human remains, so future development will not disturb human remains.

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.

The north-east corner of the property is within an Alquist-Priolo Earthquake Fault Zone (portions of the property are within 500 feet of an identified Alquist-Priolo Earthquake fault). This will affect one of the parcels (Parcel #1). As a mitigation measure, the subdivision map and subsequent title for the affected parcel will indicate that the portion of the property within the Alquist-Priolo Earthquake Fault Zone cannot have structures developed within the defined area until a geologic investigation prepared by a licensed geologist is performed that can demonstrate that proposed buildings will not be constructed across active faults.

ii) Strong seismic ground shaking?

Ground shaking may occur anywhere in the region, due to numerous earthquake faults. The California Building Code ensures that future structures shall be constructed on the property, outside of the Alquist-Priolo Zone, to required seismic standards (Seismic Zone D) in order to withstand such shaking, and so this potential impact is considered less than significant. If development later occurs within the Alquist-Priolo zone (after a geologic investigation by a licensed geologist), the report generated by the investigation may call for design criteria beyond the California Building Code.

iii) Seismic-related ground failure, including liquefaction?

No the proposed subdivision is not within an area of soils know to be subject to liquefaction.

iv) Landslides?

No, the proposed subdivision is not in an area subject to landslides.

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

The proposed subdivision is on already disturbed land, so future development will not result in soil erosion or the loss of topsoil.

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, the project is a proposed subdivision is not located on a geologic unit or soil that is unstable.
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, the proposed subdivision is not located in an area with a known expansive soil type.

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 project is a proposed subdivision that is not located on soils incapable of adequately supporting the use of septic tanks.

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?

Future development will have to follow the existing land use and zoning designations that apply to the parcels, which are residential and agricultural and would only allow for a total of four additional primary units and 5 additional secondary units, as well as additional agricultural intensity from current usage (though property has been fully utilized for agricultural uses in the past). This development would have no significant increase in greenhouse gas emissions.

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

No, the project is a proposed subdivision that will not cause conflicts with a plan, policy or regulation adopted for the purpose of reducing greenhouse gasses.

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?

The project is a proposed subdivision for residential and agricultural uses and does not include the transport or disposal of hazardous materials either currently or for future development. There is some possibility that some materials used in agricultural would be deemed hazardous, but the use and storage of these materials would be relatively minor if at all, and would be regulated by Inyo County and particularly the Environmental Health Department.

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?

The project is a proposed subdivision that either will not involve hazardous materials at all, or, if used, will be on a small enough scale to inherently limit any impact in the unlikely event of an accident. Additionally, if any hazardous materials are used as part of the agricultural uses of the property, they will be subject to permitting and oversight by the Inyo County Environmental Health Department, and subject to permits and policies to minimize accidental release, both in quantity and impact.

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

The project is a proposed subdivision that will not emit hazardous emissions, or handle hazardous waste and it is not within one-quarter mile of a school. Any handling of hazardous or acutely hazardous materials, substances would be minimal (consistent with agricultural uses), if at all, and subject to regulation by the Inyo County Environmental Health Department.
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 proposed subdivision is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

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 proposed subdivision is not located within two miles of an airport or within an airport land use plan.

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 proposed subdivision 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 is a proposed subdivision that will not physically interfere with an adopted emergency plan or emergency evacuation plan.

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 subdivision is within the boundaries of the Big Pine Fire District’s zone of sphere of influence, but not within the actual fire district boundary. However the applicant has requested and been preliminarily approved for fire service from the Big Pine Fire District and therefore future development will have sufficient fire protection and will not expose people or structures to a significant risk of loss injury or death involving wildland fires. Note that this agreement is for the proposed subdivision, and future subdividing would require a new service agreement. Prior to finalization of the subdivision, Inyo County will require the finalization of a Fire Service Agreement by the Big Pine Fire Protection District.

IX. HYDROLOGY AND WATER QUALITY: Would the project:

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

No, the project is a proposed subdivision that will not affect water quality standards or waste discharge 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 project is a proposed subdivision of already developed land that is used now and has been even more fully utilized in the past for agricultural uses. The subdivision will result in no substantially greater water usage than the land has seen in the past and will have no effect on groundwater supplies or interfere with ground-water recharge for permits already granted in the area.
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, future development will have to follow the existing land use and zoning designations that apply to the parcels, which are residential and agricultural, and will include providing appropriate drainage plans if it is ever developed. Additionally no water course is on or adjacent to the site.

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, future development will have to follow the existing land use and zoning designations that apply to the parcels, which are residential and agricultural, and will include providing appropriate drainage plans for future development and changes.

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, future development will have to follow the existing land use and zoning designations that apply to the parcels, which are residential, and will include providing appropriate drainage plans for future development and changes. Additionally, the low density nature of the parcels inherently minimizes the impact of runoff.

f) Otherwise substantially degrade water quality?

No, the project is a proposed subdivision that has no potential to degrade water quality.

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 proposed subdivision does not include plans for building housing, nor is it in a 100-year flood hazard area.

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

No, the proposed subdivision does not include building structures, nor is it in a 100-year flood hazard area.

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 proposed subdivision is not in an area subject to flooding due to the failure of a levee or dam.

j) Inundation by seiche, tsunami, or mudflow?

No, the proposed subdivision is not in an area subject to seiches, tsunamis, or mudflows.

X. LAND USE AND PLANNING: Would the project:

a) Physically divide an established community?

Future development will have to follow the existing land use and zoning designations that apply to the parcels, which are residential and agricultural. The existing parcels are a pocket of residential and agricultural land in an area of undeveloped land owned by government entities (City of Los Angeles and Bureau of Land Management). The subdivision will not change the area developed, the uses, or have any change on the surrounding undeveloped land.
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 proposed subdivision is consistent with the County’s General Plan Designation of Residential Rural Medium Density (Policy LU-2.7) and Zoning code designation of Rural Residential that both allow for residential and agricultural uses and any future development will be limited to the uses permitted by the General Plan and zoning.

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

No, the proposed subdivision is not in an area subject to a natural community or conservation plan.

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 at the project location.

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 at the project location.

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?

The proposed subdivision will not create additional noise generation at the proposed project location, except possibly at construction of new structures as part of future development, which is already regulated by Inyo County Code and will be of minimal impact because of the subdivision’s lack of proximity to other developed areas and the limited duration of any allowed construction.

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

No, the proposed subdivision will not create additional noise generation at the proposed project location.

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

No, the proposed subdivision will not create additional noise generation at the proposed project location.

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

No, generally the proposed subdivision will not create additional temporary or periodic increase in ambient noise levels at the proposed project location, except possibly at construction of new structures as part of future development, which is already regulated by Inyo County Code and will be of minimal impact because of the subdivision’s lack of proximity to other developed areas and will be for a limited 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 proposed subdivision is not located within an airport land use plan or within two-miles of public/public use 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 proposed subdivision will not create additional noise generation at the proposed location nor is it in the vicinity of an airstrip.

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)?

The project is a proposed subdivision that does not include proposals for the creation of new homes or businesses, nor will it create new roads or new access to roads, or other infrastructure opportunities. Future development will have to follow the existing land use and zoning designations that apply to the parcels, which are residential and agricultural, and even if fully developed for residences (5 primary residences and 5 secondary residences, from the current single primary residence), the impact would be very minimal. The surrounding area is undeveloped and will most likely remain so given current ownership, General Plan guidance and zoning. Inyo County is requiring the recordation of a 30’ wide road easement for a road right of way on the created parcels, but this requirement is to bring a non-compliant roadway into compliance with Inyo County Standards, and not because of population growth.

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

No, the proposed subdivision will not displace existing housing or create a situation where replacement housing will be necessary. It may allow for a minimal addition to the housing inventory.

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

No, the proposed subdivision will not displace people, or create a situation where replacement housing will be necessary. It may allow for a minimal addition to the housing inventory.
**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?**

The subdivision is within the boundaries of the Big Pine Fire District's zone of sphere of influence, but not within the actual fire district boundary. However the applicant has requested and been preliminarily approved for fire service from the Big Pine Fire District and therefore future development will have sufficient fire protection and will not expose people or structures to a significant risk of loss injury or death involving wildland fires. The Big Pine Fire District, prior to offering their preliminary approval, concluded that their existing facilities, manpower and equipment could handle serving this subdivision with no increases (and would not have extended this offer if they had to increase their infrastructure). Note that this agreement is for the proposed subdivision, and future subdividing would require a new service agreement. The final map is conditioned with a final service agreement from the Big Pine Fire District.

**Police protection?**

Future development will have to follow the existing land use and zoning designations that apply to the parcels, which are residential and would only allow for a total of four additional primary units and possibly 5 additional secondary units. The subdivision is within the service area of the Inyo County Sheriff department and therefore future development will not create additional pressure on the current police protection services or facilities nor will it create a need for new or physically altered facilities.

**Schools?**

The proposed subdivision will not significantly impact the Big Pine School District, as it does not include development or a change of current uses at the site. Future development will have to follow the existing land use and zoning designations that apply to the parcels, which are residential and agricultural and would only allow for a total of four additional primary units and possibly 5 additional secondary units.

**Parks?**

No, the proposed subdivision will not impact County parks. Future development will have to follow the existing land use and zoning designations that apply to the parcels, which are residential and would only allow for a total of four additional primary units and possibly 5 additional secondary units.

**Other public facilities?**

No, the proposed subdivision will not create a need for additional public services.

**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 proposed subdivision will not increase the use of existing recreational facilities. Future development will have to follow the existing land use and zoning designations that apply to the parcels, which are residential and would only allow for a total of four additional primary units and possibly 5 additional secondary units.
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, the proposed subdivision does not include, nor will it cause a need for an increase in parks or other recreational facilities that might have an adverse physical effect on the environment.

**XVI. TRANSPORTATION/TRAFFIC** -- Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

No, the proposed subdivision will not cause an increase in traffic which is substantial in relation to the existing traffic load or capacity of the street system. The increase even in full build-out would be negligible in comparison to the capacity of the road, which is utilized at a relatively low level currently.

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

No, the added traffic would be minimal, and would not exceed a level of service standard set by the County.

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 proposed subdivision will not result in changes to air traffic patterns or increased traffic that could result in substantial safety risks.

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 subdivision will not require new roads or changes to the current road system. An existing private drive is being improved to allow appropriate general and fire access to the parcels, but this will have no impacts beyond this drive. Future development will have to follow the existing land use and zoning designations that apply to the parcels, which are residential and would only allow for a total of four additional primary units and possibly 5 additional secondary units.

e) Result in inadequate emergency access?

No, the current access is questionable, but as part of the approval of the Tentative Parcel Map, the emergency access of the private drive is being improved to be adequate and appropriate easements are required for the Final Parcel Map.

f) Result in inadequate parking capacity?

No, the proposed subdivision will not result in a loss of parking spaces. Future development will have to provide parking on the parcels as required by Inyo County Code.

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

No, the proposed subdivision will not significantly increase traffic and therefore will not affect public transit, bicycle or pedestrian facilities. Future development will have to follow the existing land use and zoning designations that apply to the parcels, which are residential and agricultural and would only allow for a total of four additional primary units and possibly 5 additional secondary units.
XVII. TRIBAL CULTURAL RESOURCES -- Would the project:

Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

No, the area of the subdivision is neither listed, nor eligible for listing in the California Register of Historical Resources, nor is it in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

No, the lead agency has no reason to determine there is a cultural resource, either through its own knowledge and research, nor through input from local California Native American tribes.

XVIII UTILITIES AND SERVICE SYSTEMS --

Would the project:

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

No, the proposed subdivision will not cause changes to wastewater treatment requirements. Future development would be required to have septic systems that would not affect wastewater treatment.

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, the proposed subdivision will not require additional water or wastewater treatment facilities. Future development would be required to have individual water wells and septic systems that would not result in a need for new water or wastewater treatment facilities.

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 subdivision will not require new or the expansion of current storm water drainage facilities. Future development will have to follow the existing land use and zoning designations that apply to the parcels, which are residential and agricultural, and will include providing appropriate drainage plans if it is ever developed. Because of the low density, any future drainage plan will most likely be of minimal impact.
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

The proposed subdivision will not cause an increase in the need for water. Future development would be required to have individual water wells approved by the County’s Department of Environmental Health and would most likely not result in an overall increase from the current and historical mix of residential and agricultural uses.

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?

No, the proposed subdivision will not require services from a wastewater provider. Future development would be required to have individual septic systems approved by the County’s Department of Environmental Health.

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

The proposed subdivision will not require changes to the current solid waste capacity to accommodate it.

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

The proposed subdivision and any future development will comply with the related solid waste requirements.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE:

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

No, there are not threatened, protected, species of concern or examples of California history or prehistory on the site of the proposed subdivision. In addition, there are no critical, protected, or sensitive habitats on the surrounding developed properties. The site is already disturbed; and therefore, the proposed subdivision will not degrade the quality of the environment at the site or the surrounding area.

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, proposed subdivision and any future development is small and limited in scope and the area is one of slow to no growth.

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

No, proposed subdivision and any future development will be small in scope and will not cause direct or indirect adverse effects on human beings.
High Level Aerial Map Image

Location of Stewart Ranch Property, associated with Tentative Parcel Map #409 Project
Detailed Aerial Map Image

Location of Stewart Ranch Property, associated with Tentative Parcel Map

Waucoba Saline Road

Big Pine
March 10, 2017

File: Environmental Doc Review
Inyo County

Tom Schaniel, Associate Planner
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Comments on the Mitigated Negative Declaration of Environmental Impact and Initial Study for Tentative Parcel Map #409/Steward Ranch, Inyo County, SCH No. 2017021043

The California Regional Water Quality Control Board, Lahontan Region (Water Board) staff received a Mitigated Negative Declaration of Environmental Impact and Initial Study (MND/IS) and Environmental Checklist for the above-referenced project (Project) on February 16, 2007. The environmental documents were prepared, and submitted by the Inyo County Planning Department. Water Board staff, acting as a responsible agency, is providing these comments to specify the scope and content of the environmental information germane to our statutory responsibilities pursuant to the California Environmental Quality Act (CEQA) Guidelines, California Code of Regulations (CCR), title 14, section 15096. Based upon our review of the above-referenced documents, it appears that portions of all proposed parcels are within the floodplain of one or more ephemeral streams; therefore, prior to any future development of the Project parcels, early consultation with Water Board staff is highly recommended.

PROPOSED PROJECT

The Tentative Parcel Map (TPM) #409/Steward Ranch site is comprised of Inyo County Assessor’s Parcel Numbers (APNs) 018-070-05 and 018-100-003, with a combined acreage of 159.3 acres. The TPM proposes to subdivide APNs 018-070-05 and 018-100-003 into five parcels: Parcel No. 1, 39.8 acres; Parcel No. 2, 21.33 acres; Parcel No. 3, 39.79 acres; Parcel No. 4, 39.79 acres; and a remainder parcel, 18.54 acres. Currently, further subdivision and/or development of the parcels are not proposed.
AUTHORITY

All groundwater and surface waters are considered waters of the State. All waters of the State are protected under California law. State law assigns responsibility for protection of water quality in the Lahontan Region to the Lahontan Water Board. Some waters of the State are also waters of the U.S. The Federal Clean Water Act (CWA) provides additional protection for those waters of the State that are also waters of the U.S.

The Water Quality Control Plan for the Lahontan Region (Basin Plan) contains policies that the Water Board uses with other laws and regulations to protect the quality of waters of the State within the Lahontan Region. The Basin Plan sets forth water quality standards for surface water and groundwater of the Region, which include designated beneficial uses as well as narrative and numerical objectives which must be maintained or attained to protect those uses. The Basin Plan can be accessed via the Water Board’s web site at http://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/references.shtml.

COMMENTS ON ENVIRONMENTAL DOCUMENTS

1. Based upon our review of aerial photographs of the Project site and surrounding area, it appears that southwest flowing ephemeral drainages flow on to, along the eastern limits, across, and off of the Project site. These ephemeral drainages are considered waters of the State and activities that have the potential to alter flowpaths or result in a discharge of fill to are types of activities generally regulated by the Water Board. Therefore, future development of the parcels may require additional environmental review. Early consultation with Water Board staff prior to development is highly encouraged.

PERMITTING REQUIREMENTS

A number of activities associated with development of the Project parcels may have the potential to impact waters of the State and, therefore, may require permits issued by either the State Water Board or Lahontan Water Board. The required permits may include the following.

2. Streambed alteration and/or discharge of fill material to a surface water may require a CWA, section 401 water quality certification for impacts to federal waters (waters of the U.S.), or dredge and fill waste discharge requirements for impacts to non-federal waters, both issued by the Lahontan Water Board. All unavoidable permanent impacts to waters of the State must be mitigated to ensure no net loss of beneficial use and wetland function and value.

3. Land disturbance of more than 1 acre may require a CWA, section 402(p) storm water permit, including a National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit, Water Quality Order (WQO) 2009-0009-DWQ, obtained from the State Water Board, or individual storm water permit obtained from the Lahontan Water Board.
Please be advised of the potential permits that may be required, as outlined above. Early consultation with Water Board staff regarding these permits is encouraged. Information regarding the permits, including application forms, can be downloaded from our web site at http://www.waterboards.ca.gov/lahontan/.

Thank you for the opportunity to comment on the MND/IS. If you have any questions regarding this letter, please contact me at (760) 241-4942, (jeffrey.fitzsimmons@waterboards.ca.gov), or Patrice Copeland, Supervising Engineering Geologist, at (760) 241-7404 (patrice.copeland@waterboards.ca.gov).

Please send all future correspondence regarding this Project to the Water Board’s email address at Lahontan@waterboards.ca.gov and be sure to include the State Clearinghouse No. and Project name in the subject line.

Jeffrey S. Fitzsimmons, PG 8970
Engineering Geologist

cc: State Clearinghouse (SCH 2017021043) (state.clearinghouse@opr.ca.gov)
    Nick Buckmaster, CA Dept. of Fish and Wildlife (nick.buckmaster@wildlife.ca.gov)
AGENDA ITEM NO.: 6 (Action)

PLANNING COMMISSION MEETING DATE: April 26, 2017

SUBJECT: Natural Resource Advisory Committee

EXECUTIVE SUMMARY

The Natural Resource Advisory Committee (NRAC) acts as a technical committee on natural resource matters with the goal of providing pertinent information and making recommendations to the Board of Supervisors and the Planning Commission. Two of the Committee’s positions have expired, and Requests for Appointment have been received in response to the County’s Notice of Vacancy to recruit new members. The Planning Commission will consider making a recommendation regarding the NRAC appointments to the Board of Supervisors.

PROJECT INFORMATION

Supervisory District: County-wide

Recommended Action: Recommend that the Board of Supervisors Appoint Randy Keller and Earl Wilson to the Natural Resource Advisory Committee

Project Planner: Cathreen Richards

BACKGROUND

The NRAC was created in 2009 for three years to act as a technical committee on natural resource matters with the goal of providing pertinent information and making recommendations to the Board of Supervisors and the Planning Commission on matters relating to mineral, solar, geothermal, water and wind development, or upon referral.\(^1\) The NRAC is made up of five voting members consisting of citizens of Inyo County selected County-wide, as well as two alternate members. On August 21, 2012, the Board of Supervisors extended the Committee for three years, and on July 21, 2015 the Board extended the NRAC for an additional three years.

\(^1\) Refer to http://inyoplanning.org/natres.htm for information regarding the NRAC, including the authorizing resolution.
ANALYSIS
The NRAC authorizing resolution indicates that appointments of Committee members shall be made by the Board of Supervisors upon the recommendation of the Planning Director and Planning Commission. In response to the County’s solicitation, Requests for Appointment were received from Mr. Randy Keller and Mr. Tom Noland and a request for a recommendation from the Planning Commission was made by staff on January 25, 2017. Due to a complaint from an alternate NRAC member on the process of advertising the NRAC positions, your Commission recommended that the Board of Supervisors direct staff to re-advertise them. The NRAC positions were re-advertised and Requests for Appointment were received from Mr. Randy Keller and Mr. Earl Wilson. Mr. Keller has extensive experience in natural resource issues, and Mr. Wilson has served on the NRAC as an alternative for 2-years and also has extensive experience with natural resource issues in the County. Staff believes that both Mr. Keller and Mr. Wilson should be appointed. The terms for the appointments shall be until the termination of the NRAC, unless it is extended, in which case the terms would be three years.

RECOMMENDATION
Recommend that the Board of Supervisors Appoint Randy Keller and Earl Wilson to the Natural Resource Advisory Committee.

ATTACHMENTS
Requests for Appointment