

# MONO COUNTY PLANNING COMMISSION

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

PO Box 8  
Bridgeport, CA 93517  
760.932.5420, fax 932.5431  
[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

## AGENDA

May 16, 2019 – 10 a.m.

Supervisors Chambers, County Courthouse, Bridgeport

**\*Videoconference:** Town/County Conference Room, Minaret Village Mall, Mammoth Lakes

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

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

**1. CALL TO ORDER & PLEDGE OF ALLEGIANCE**

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

**3. MEETING MINUTES:** Review and adopt minutes of April 18, 2019 – *p. 1*

**4. PUBLIC HEARING**

**10:10 A.M.**

**A. CONDITIONAL USE PERMIT 19-002/Walker River Farms:** Proposal for a cannabis microbusiness on an Agriculture (AG-10) parcel located at 1129 Larson Lane, Coleville (APN 002-110-021). The cannabis canopy will be roughly 8,600 square feet. The entire operation consists of four buildings (20' x 64' each). Microbusiness activities include cultivation, distribution, and non-storefront retail. A CEQA 15183 exemption is proposed. *Staff: Hailey Lang – p. 5*

**10:30 A.M.**

**B. CONDITIONAL USE PERMIT 19-006/Tioga Green and REVOCATION OF CONDITIONAL USE PERMIT 34-06-05/Hebert:** Conversion of an existing vacant 690-square foot commercial building into cannabis retail and revocation of the existing use permit for a drive-through restaurant. The proposal is located at 51005 Highway 395 (APN 021-080-022) south of the Lee Vining commercial core and gains access from Utility Road. Modifications to the property include interior remodel of existing structure, addition of storage shed, new signage, and paving and lighting for parking area. A Class 3 CEQA exemption is proposed. Land use designation is commercial (C). *Staff: Bentley Regehr – p. 91*

***More on back...***

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DISTRICT #1  
COMMISSIONER  
Patricia Robertson

DISTRICT #2  
COMMISSIONER  
Roberta Lagomarsini

DISTRICT #3  
COMMISSIONER  
Daniel Roberts

DISTRICT #4  
COMMISSIONER  
Scott Bush

DISTRICT #5  
COMMISSIONER  
Chris I. Lizza

**10:50 A.M.**

**C. USE PERMIT & VARIANCE /3D Housing Development:** Conditional Use Permit 18-017 proposes a five-unit housing project on the corner of Howard Avenue and Bruce Street in the community of June Lake. Each unit is approximately 800 square feet. Variance 18-001 is a request for a zero-foot setback from the top of a bank/water course for two units and a portion of the parking area. The watercourse runs along the eastern portion of the project site. The parcel is 0.43 acres in size (APN 015-103-022) and has a land use designation of Multi-Family Residential High (MFR-H). A CEQA exemption 15183 is proposed. *Staff: Bentley Regehr & Gerry Le Francois – p. 114*

**5. WORKSHOP**

**6. REPORTS**

**A. DIRECTOR**

**B. COMMISSIONERS**

**7. INFORMATIONAL**

**8. ADJOURN** to regular meeting June 20, 2019

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

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

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

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

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DRAFT MINUTES

April 18, 2019

**COMMISSIONERS:** Scott Bush, Roberta Lagomarsini, Chris I. Lizza, Dan Roberts & Patricia Robertson

**STAFF:** Wendy Sugimura, director; Michael Draper & Bentley Regehr, planning analysts; Christy Milovich, deputy county counsel CD Ritter, PC secretary

**1. CALL TO ORDER & PLEDGE OF ALLEGIANCE:** Chair Scott Bush called the meeting to order at 10:00 a.m. at the board chambers in Bridgeport, and attendees recited the pledge of allegiance.

**2. PUBLIC COMMENT:** None

**3. MEETING MINUTES**

***MOTION:*** Adopt minutes of March 21, 2019, as submitted (*Robertson/Lagomarsini. Ayes: 5-0.*)

**4. PUBLIC HEARING**

**A. COMMISSION INTERPRETATION 19-001/Toledo:** Proposal to implement General Plan Mobile Food Vendor standards on Mixed Use LUD on US Hwy 395/main street frontages in the Antelope Valley based on area plan policies.

Jake Suppa noted environmental conditions, Ch 9 commissary, Ch 10 regulates need to certify, business license. Conundrum is General Plan standards for Commercial. Antelope Valley has no commercial, just Mixed Use (MU) on 395 with commercial character/uses in Walker (retail, auto repair, propane tank farms, lodges, restaurants) so precedence set. 04.030 uses not permitted. MU has commercial and residential within a parcel. Planning elements of parking, noise, odor, etc. plus plan of operations. Environmental health monitors food standards. Based on Antelope Valley Area Plan policies, current uses.

Any other MU in county? *Suppa: Yes, within June Lake village. Hwy 158 abuts commercial parcels. Sugimura: Hanging hat on MU like commercial, not applicable to June Lake or anywhere else.*

Why only MU in Walker? *Suppa: Split designations in past. Character of Walker.*

Bush: Front commercial, back residential split from commercial but still on same parcel. *Suppa: Mixed designation consistent with adjacent parcels.*

Bush: Sharing well or leach field maybe affected how set out. Rural country town.

Commercial permitted in MU zone? *Suppa: Live and work on their property. Mobile food vendor not permanent structure. Current real estate office may become commissary.*

Lizza: Provide for wide range of compatible uses, subject to DR. Squarely within that intent. *Sugimura: Commercial uses outright permitted, MU subject to DR for oversight that design fits.*

How many vendors? *Suppa: Ohanas in June Lake, three when standards adopted, one in Mammoth Lakes.*

Bush reminded PC not approving project, just interpretation.

**OPEN PUBLIC COMMENT:** None. **CLOSE PUBLIC COMMENT.**

***MOTION:*** Find that based on the Antelope Valley Area Plan policies, interpret Mobile Food Vendors to be compatible with Mixed Use land use designations on US Hwy 395 in the Antelope Valley subject to the standards of General Plan §04.330 (Plan of Operations) and §04.340 (Mobile Food Vendor Standards & Guidelines). (*Lagomarsini/Lizza. Ayes: 5-0.*)

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DISTRICT #5  
COMMISSIONER  
Chris I. Lizza

## 5. WORKSHOPS

**A. WEST-WIDE ENERGY CORRIDOR:** Presentation on the West-Wide Energy Corridor, a federal project seeking to create a corridor for energy transmission through 11 western states. Within Mono County, the corridor runs through the Tri-Valley.

Michael Draper presented corridor on screen. Project came from federal government in 2005 when energy law was enacted. Start looking at ways to move energy throughout 11 western states. Agencies involved. 2008 final programmatic statement issued. 2009 record decision, lawsuit against agencies, settled 2012. Divided into different corridors in 2014. Mono submitted two letters, supported by entities. Environmental issues with corridor. Corridor 18-23 enters along 167, travels to 120, crosses at Owens River Gorge to Swall/Paradise. Try to utilize existing infrastructure. Maybe underground piping, energy lines above ground. Policies require underground transmission lines, a lot of corridor on public land but smaller sections on private land. Need permit to construct those lines. Power lines around Benton Paiute land, pointed that out. Brought up mapping issues.

Not following transmission lines? *Draper: Error or should utilize existing infrastructure. On west side of Hwy 6. Owens River Gorge entirely new potential sage-grouse habitat.*

Explain what energy corridor is and what could be? *Draper: Corridor's study is responsible siting decisions, reduce right-of-way crossings. Effort to get renewable energy sites. More opportunities for input, contacted director. June meeting in Reno, another study for public comment. At CPT April 23 Steve Nelson of BLM will give presentation.*

Robertson commended staff for tribal outreach.

Lagomarsini requested Benton/Chalfant meeting to advise residents to comment. People agitated about it in 2005. No organized RPAC but people might divert where it goes, object to underground piping. *Draper: Community meeting for residents.*

Sugimura cited it as BLM project, so better to get BLM to speak to residents, opportunities to weigh in. Draper can schedule outreach meetings or Mono collect and submit to BLM. Friends of Inyo on CPT list. Stakeholders welcome to attend meeting, incorporate into Mono's comments.

Robertson: Next steps? *Draper: Comment ended April 8, tough to find out next steps. Such a big project, realizing specific on-ground issues. Corridor study has matrix of issues/responses. Studies toward identifying issues.*

Lagomarsini: Didn't see anything on comment period. Was public noticed? *Sugimura: Distribution list for communications. Ask at CPT meeting.*

Lagomarsini suggested neighborhood emails to advise residents.

Lizza: Discussed issue at board level. Not deal with public lands at PC. Competing interests. Sustainable energy economy to move forward with use and distribution. Safety and impact concerns. On undisturbed land. Power transmission through Lee Vining instead of other side of lake. Lines passing through residential areas.

Roberts: Power line passes through rugged areas, maybe underground. Why tribes? *Lagomarsini: New substation out there.*

Draper will update PC.

**B. WALKER BASIN WATER TRANSACTION PROGRAM:** Potential water transaction programs to convey water to Walker Lake in Nevada for restoration purposes, including release of a Notice of Preparation for an Environmental Impact Report, range of actions, and alternatives.

Bentley Regehr updated project. Restore Walker Lake initiated by NFWF (National Fish & Wildlife Federation), managed by Walker Basin Conservancy. 2012 MOU requires Mono to consider transaction program. Impacts entire North County, project in Bridgeport and Antelope Valley. Already occurring: joint land and water rights acquisitions, only small hobbyist agriculture so far, Mono program defined through General Plan, occur by 2024 to qualify for current funding.



Buy up water rights? *Big sums of money to offer. Landowners keep green. If offer huge sum, likely sell water and acres would change. Not affect fishing because water still in river. Need to analyze, not want valley to dry up.*

Bush: Can't force people to farm, to irrigate. Look at Olancha way back.

Roberts: Water not going to big city. Steer away from long-term transactions.

Bush: Older ranchers might take money.

Regehr: Analyzing potentially significant concerns. NOP is first step. Scoping meetings coming up. Started in 2012. Storage water transfer program for three years to study impacts. Long-term leasing (two or more years) or temporary leasing, surplus storage water sale. Six strategies proposed, with Strategy 5 preferred by Mono: Temporary leasing and storage water sale.

Legal obligation to give up water? *Set up guidelines.*

Sugimura: Obligation to participate in restoration of Walker Lake, County Counsel Stacey Simon involved. Unsure what happens if water not added but ecosystem collapses. If PC interested in historical premise and legalities (eight-year sage), who legally obligated to participate. Congressional appropriation of funding to restore Walker Lake. Could invite Simon to explain.

Bush: If people not want to sell water, then condemn land and take water? Sugimura: First find voluntary. Any program in Mono County subject to CEQA, not so in Nevada. If Mono takes care of CEQA, NFWF awaits review of program. Normally Mono not involved in private water transactions at all. Could address concerns and potential outcomes not in best interest of Mono. Guide water transaction program, get approval authority before enacting program.

Bush: Send river water to another state. Irrigated land in whole valley would go away. Affect underground water, no recharging.

Robertson: Further discussion on legality, what watershed looks like, how Mono participates despite lines of state and county, environmental relationship to see strategies.

Roberts: Transcends geographical boundaries; nobody wants valleys to dry up. Ecosystem of Walker Lake like Mono Lake. Walker Lake was world-class fishery for cutthroat trout, now partially saline.

Sugimura: When first started on grant, NFWF would fund model on California side of basin. Started CEQA with model data available. NFWF pulled funding for model. Full water modeling needs to occur, big project, very expensive. When NOP comes out, General Plan comes into play. Outreach sessions last summer in Antelope Valley and Bridgeport. This is coming.

Bush: Most people not even thinking about it. *Sugimura: RPACs, Antelope Valley Mutual Water Company talked of concerns, not heard positions yet. Such a big project to get arms around, take position.*

How much money available? *Sugimura: Total funding in California and Nevada. Number proposed for Antelope Valley sale of water based on acre-feet. Analysis has been done.*

Who's responsible? Bulk of program is over-consumptive crops in Nevada. Recognition who needs to bear bigger brunt. Crop substitution as well as buying out water rights. *Sugimura: Crop substitution left to ranchers. Maybe farm bill could provide funding. Walker Conservancy gets involved when water rights and land considered.*

Mitigation from certain areas? *Sugimura: Water from Nevada side preferred. Little less pressure now due to lawsuits. If tracking drops of water, more from Nevada (evaporation from California).*

Water usage in Smith Valley vs. Antelope Valley? *Sugimura: Only part that can be transferred is "consumptive use" (53%) so not damage other holders.*

Apply to land acquisition as well? *Sugimura: Yes. Taking off strategy where permanent water sales or long-terms leases without purchase of land. Too much risk for Mono. Decoupling of land and removal of water. Not an alternative. Alt with most severe impacts is perm sale of water-righted acreage. Sell land as well as water rights. Mono has authority and permitting, establish sideboards.*

Lose control of land? *Sugimura: Define how land managed. WBD can't purchase without permit from Mono. Limit what land could be used for. Preclude row crops.*

If take 53% of water away, how ranchers cope? *Sugimura: Allow storage water sale and temporary leasing of flow rights.*

Thousand dollars vs. millions? Fighting for or against something? People always wants to know about funding.

MOU challenged in court? *Sugimura: Can't promise. MOU says NFWF and WBC will not engage in water transactions in Mono till BOS considers water transaction for approval. Mono offered authority of how transactions would occur.*

Lizza: Proportionality limit to whatever might be available. Problem caused by Mono users; e.g., limit availability of transfers to 5%. Need to cap transfers available. *Sugimura: Not seen that, only distribution.*

Roberts: Ranchers using water downstream. Mono more provider than user.

Sugimura: Financials will be included in NOP. Purchase = \$1800/acre-foot.

How many landowners? *Regehr: Only several. Most land owned by Mutual Water Co.*

Sugimura: Analyze alternatives to get potential environmental impacts; preferred has fewest impacts. Legal questions if no action (#6). Start making private deals with landowners if Mono rejected any program.

Who oversees leases, renewal, monitoring? *Sugimura: Level of detail needs program.*

How landowners use water? *Sugimura: No real measure of how much water, just time. Lagomarsini: Need water master.*

Bush: Not really know how much water talking about. *Sugimura: Weirs installed, more accountability. Propose full hydrogeologic study in General Plan. Adaptive management plan where water removed to provide for constant oversight of ecological changes, surface water not supplanted by groundwater pumping. General Plan policies accompany each strategy.*

Pump water out of ground, ship away? *Sugimura: Groundwater transfer permit required if going outside of basin.*

Bush: Most valuable resource is water.

Land trust involved? *Sugimura: ESLT (Eastern Sierra Land Trust) in Bridgeport area, preclude landowners selling water. Actively working on securing easements. Other concerns, missing information, different alternative for EIR?*

Bush: Default not send water out of Mono. *Sugimura: Legal determination if want oversight.*

Can government condemn water rights like condemn land for public good? *Sugimura: Take to legal counsel. Water rights different, under legal decree.*

Ship water out, take all money?

Robertson: Legal questions at next PC meeting? Larger ecosystem? *Sugimura: Policy workshop on legalities?* Bush: Would be very helpful.

Recap after public outreach? *Sugimura: PC will be involved in General Plan and CEQA doc. Ask Stacey Simon to be present.*

Regehr will issue NOP April 23 for 30-day comment period. Meetings: May 6 in Bridgeport, May 7 BOS and Antelope Valley. Consultants will attend.

## 6. REPORTS

**A. DIRECTOR.** 1) Tioga Inn SP: Awaiting Lahontan comments on water degradation analysis 45-day comment period; consists now of workforce housing, no change to hotel. 2) LHMP (Local Hazard Mitigation Plan) went to FEMA, final approval by BOS in next month, grand opportunities on fire planning, hazard preparedness, LHMP to be eligible. 3) Many current planning applications: CEQA, design components, four cannabis, one UP/Variance, Antelope Valley, Lee Vining, Sierra Business Park. 4) Walker Basin NOP (Notice of Preparation): Later this month. 5) Sage-grouse listing information in federal register, USFWS must call for additional information to incorporate into assessment of species status, probably this fall; 6) LADWP wells: Proposed in Long Valley, 20 locations, two wells at each for groundwater monitoring. Mono has no discretionary authority over these wells, ministerial permit through Environmental Health, close to leks so talking to Clarence Martin, maybe pull in BLM on mitigation. Cultural impacts as well. Drilling won't involve water or mud, just vibration.

**B. COMMISSIONERS.** None

## 7. INFORMATIONAL.

None

## 8. ADJOURN

at 11:52 a.m. to regular meeting May 16, 2019

*Prepared by CD Ritter, PC secretary*

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**Mono County  
Community Development Department**

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May 16, 2019

To: Mono County Planning Commission

From: Hailey Lang, Planning Analyst

Re: Use Permit 19-002/Walker River Farms

**RECOMMENDATION**

It is recommended that Planning Commission take the following actions:

1. Find that the project qualifies as an Exemption under CEQA guidelines 15183 and instruct staff to file a Notice of Determination;
2. Make the required findings as contained in the project staff report; and
3. Approve Use Permit 19-002 subject to Conditions of Approval

**BACKGROUND**

Use Permit 19-002/Walker River Farms is a proposal for an indoor cannabis microbusiness on an Agriculture (AG-10) parcel located at 1129 Larson Lane, Coleville (APN 002-011-021). The microbusiness will occur on a 0.2-acre area within the 395-acre property and will include cultivation, distribution, and non-storefront retail activities. Canopy area will be roughly 8,600 square feet. Under the microbusiness license, Walker River Farms intends to grow cannabis, dry and cure cannabis, trim and prepare cannabis for sale, package and label products, and transport cannabis and cannabis products. The non-storefront retail activity will allow for Walker River Farms to attend and sell product at licensed cannabis events around the state of California.

All applications for commercial cannabis activity must be approved through a Conditional Use Permit (CUP) process within an appropriate land use designation. A CUP for cannabis microbusiness must demonstrate adequate plans for site control, setbacks, odor control, signage, visual screening, lighting, parking, and noise.

The project qualifies for a 15183 CEQA exemption, as it is consistent with the Mono County General Plan Environmental Impact Report (EIR) and Antelope Valley policies.

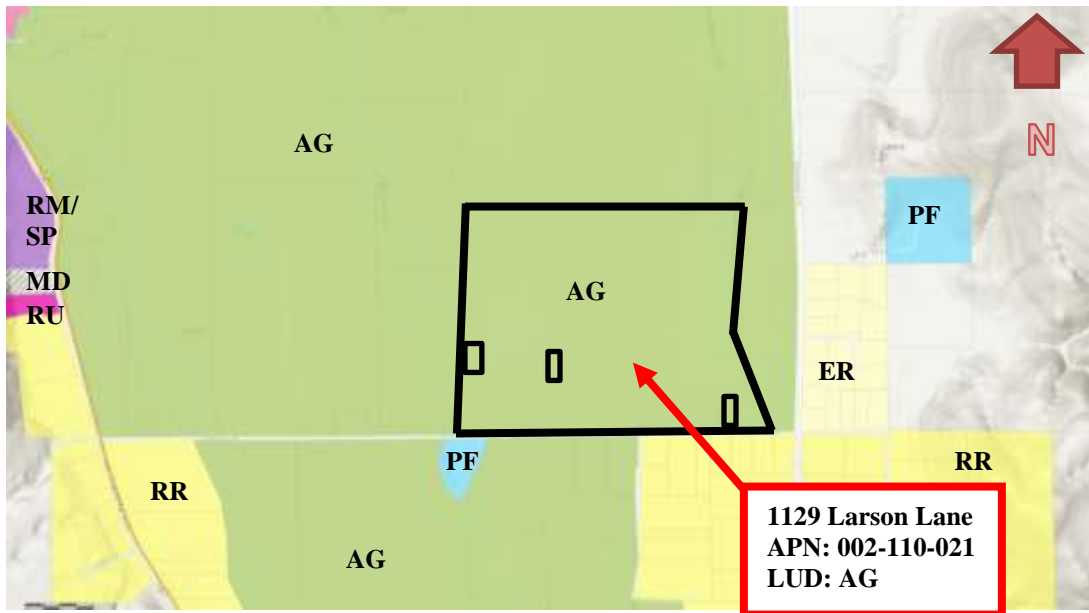
**PROJECT SETTING**

The project is located near Highway 395 on Larson Lane. Land uses surrounding the project are almost entirely large Agriculture (AG) parcels except one Public and Quasi-Public Facilities (PF) parcel south of the property where the Antelope Valley Fire Department is located. Additionally, smaller Rural Residential (RR) parcels are located south of the property. The property is owned by Lloyd Chichester and will be leased to the project applicant, Kevin Dortch.

**FIGURE 1: PROJECT LOCATION**



**FIGURE 2: PROJECT LAND USE DESIGNATION**



**FIGURE 3: PROJECT SITE PICTURE**

*View to the northwest from project area.*

**FIGURE 4: PROJECT SITE PICTURE**

*View to southwest from project area. The landlord's house is just beyond the trees in the left-hand side of the photo. Employee housing is in the white building on the right-hand side.*

### **GENERAL PLAN CONSISTENCY**

The General Plan land use designation for this property is Agriculture with a 10-acre minimum (AG-10). According to the Mono County General Plan, “the ‘AG’ designation is intended to preserve and encourage agricultural uses, to protect agricultural uses from encroachment from urban uses, and to provide for the orderly growth of activities related to agriculture.” Permitted uses under the Agriculture land use designation include single-family homes, accessory buildings, non-commercial composting, and all uses proposed in conjunction with a bona-fide agricultural operation. Commercial cannabis cultivation is permitted subject to a Use Permit and compliance with Chapter 13, and a Cannabis Operations Permit pursuant to Mono County Code Chapter 5.60.

The proposed development is also consistent with Antelope Valley Area Plan policies contained in the Mono County General Plan Land Use Element.

### **MONO COUNTY LAND USE ELEMENT, COUNTYWIDE LAND USE POLICIES**

**Objective 1.I.** Maintain and enhance the local economy.

**Objective 1.L.** Provide for commercial cannabis activities in Mono County in a way that protects public health, safety, and welfare while also taking advantage of new business and economic development activities.

(Policies 1.L.1 & 2 not applicable.)

**Policy 1.L.3.** Avoid, reduce, and prevent potential issues specific to commercial cannabis activities that may adversely affect communities.

**Policy 1.L.4.** In recognition of the potential economic benefits of this new industry, encourage the responsible establishment and operation of commercial cannabis activities.

### **MONO COUNTY LAND USE ELEMENT, ANTELOPE VALLEY POLICIES**

**GOAL 4.** Provide for orderly growth in the Antelope Valley in a manner that retains the rural environment, and protects the area's scenic, recreational, agricultural, and natural resources.

**Objective 4.A.** Guide future development to occur within the US 395 corridor and existing communities.

**Policy 4.A.3.** Along the Highway 395 corridor between existing communities, provide for limited development that is compatible with natural constraints and the Valley's scenic qualities.

**Objective 4.B.** Maintain the scenic, historic, agricultural, and natural resource values in the Valley.

**Objective 4.D.** Maintain and enhance the local economy.



## CHAPTER 11, UTILITIES

**11.010 D. Utility Distribution Lines to Individual Development.** Utility distribution lines to an individual development shall be installed underground, unless the applicant has obtained a Director Review permit. For projects that require a use permit, the application for overhead utility lines shall be processed as part of the use permit application. In granting a permit for overhead utility lines, the Community Development director (Director) or the Planning Commission (Commission) is required to make one of four findings. For this project, the findings related to agricultural operations are the most appropriate, as follows:

4. The exclusive purpose of the overhead line is to serve an agricultural operation.

For the purposes of this section, agricultural operations are defined as use of the land for production of food and fiber, including the growing of crops and grazing of livestock. Above-ground utility lines may be permitted for agricultural uses such as pumps and similar uses.

*The parcel has an Agriculture land use designation that allows for all agricultural operations to have overhead utility lines. This AG parcel is already a hay-producing and livestock-grazing operation; a portion of this parcel will be leased for a cannabis microbusiness. The State of California defines cannabis cultivation as an agricultural operation. Using this definition, cannabis cultivation is an agricultural operation, therefore producing an agricultural commodity. The term, "agricultural activity, operation, or facility, or appurtenances thereof," shall include, but not be limited to, the cultivation and tillage of soil, dairying, the production, cultivation, growing, and harvesting of any agricultural commodity" (California Civil Code 3482.5).*

- a. Impacts to sensitive species, such as the Bi-State Distinct Population Segment of Greater Sage-Grouse shall be avoided, minimized, or mitigated consistent with policies in the Conservation/Open Space Element.

*Although the project is within the critical habitat proposed by the U.S. Fish and Wildlife Service, there are no leks within 4 km (~2.5 miles) of the proposed project. The nearest lek is located ~8 miles (~12.9 km) away. In addition, the surrounding area is developed with agricultural and residential uses and therefore the habitat is already fragmented and impacted. This project would not create a new impact and is not large enough to exacerbate the existing impact. Sage-Grouse conservation standards from the Conservation/Open Space Element have been applied.*

### ACTIVITY PERMIT FINDINGS

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

Section 32.010, Required Findings:

1. *All applicable provisions of the Mono County General Plan are complied with, and the site of the proposed use is adequate in size and shape to accommodate the use and to accommodate all yards, walls and fences, parking, loading, landscaping and other required features because:*
  - a. Cannabis cultivation is permitted in agriculture designations, subject to Use Permit under Chapter 13, Cannabis Regulations (See Figure 2)

- b. Adequate site area exists for the proposed use. The footprint of cannabis operations is 8,600 square feet out of a total of 395 acres for the property (Attachment A).
  - c. The site provides adequate parking and space for loading areas. There will be 12 parking spaces that will each be 9' x 18' in size near the buildings, on hard-packed dirt. Two parking areas are shown on the site plan (Attachments A), with six parking spots available for each area. Additionally, there will be four parking spots at the employee residence (Attachment A). Per Chapter 6, Parking, Table 06.010 Required Number of Parking Spaces, Walker River Farms is required to have either two spaces for each three employees on largest shift, or one space for each 1,000 square feet. At full buildout of 10 employees, Walker River Farms would need to accommodate eight parking spaces. Loading and unloading areas are shown on the site plan (See Attachment B). Per Chapter 6, Parking, 06.030 Parking Stall Size, uncovered parking spaces in areas below 7,000 feet in elevation may be reduced to 9' x 18'.
  - d. The location of the proposed project is consistent with the Antelope Valley Area Plan's intent for preserving agriculture (refer to General Plan Consistency).
  - e. There will be no significant impacts to housing. An existing 900-square foot home on the property will serve as the employee residence for up to four employees (Attachment A).
  - f. Overhead utilities fall under exemption 11.010.D.4 based on the findings described earlier in the staff report.
2. *The site for the proposed use related to streets and highways is adequate in width and type to carry the quantity and kind of traffic generated by the proposed use because:*
- a. Trips to and from the project site generated by the proposed project will not substantially increase vehicle trips or cause traffic congestion. At full buildout a maximum of 10 employees is expected to work on site. Up to four employees may live on site in employee housing and six employees may commute to the site. Material pickup and delivery vans may access the project area four days per week or approximately 25 trips per month (combining inbound and outbound trips) by delivery/pickup vans carrying supplies related to the project. Main access to the premise will be from US 395 to Larson Lane. From Larson Lane the private driveway extends north into the parcel approximately a third of a mile to the project site. The private driveway is gravel and will be subject to Chapter 22 fire safe standards at the building permit stage. Delivery vans and employees will access the site via US 395 to Larson Lane, which may cause an increase in traffic but will not impact the existing traffic load and capacity. US 395 is a designated interstate truck route and experiences heavy traffic. These additional trips would not exceed the capacity of US 395 or Larson Lane. Due to the number of agricultural parcels on Larson Lane, the road is designed to handle truck loads compared to a residential street.
3. *The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located because:*
- a. The proposed use is not expected to cause significant environmental impacts or be detrimental to surrounding property. Elements peculiar to cannabis, including odors and lighting, have been analyzed through the 15183 CEQA exemption process, and



have been found to have no impacts beyond the scope analyzed in the Mono County General Plan EIR.

- b. The proposed project is a conforming use according to the Mono County General Plan's Land Use Element. The use permit process provides to the public opportunity to comment on the proposal, and comments are attached to this report.
4. *The proposed use is consistent with the map and text of the Mono County General Plan because:*
    - a. Cannabis cultivation is permitted in agricultural land use designations, given applicant meets the criteria set forth by Chapter 13.
    - b. The project is located within the Antelope Valley Planning Area. The Antelope Valley Area Plan encourages the protection of agriculture and its related values.

### **COMPLIANCE WITH MONO COUNTY CANNABIS REGULATIONS, CHAPTER 13**

In addition to General Plan policies and regulations, commercial cannabis activities shall comply with Chapter 13. The following general standards and requirements apply to all commercial cannabis activities permitted in the county:

#### **13.070 C. Site Control.**

*No commercial cannabis activity shall be allowed within six hundred (600) feet of schools providing instruction to kindergarten or any grades 1 through 12, day care or youth centers, parks, ballfields, playgrounds, libraries, community centers, and licensed childcare facilities.*

The above-mentioned facilities are not located within 600 feet of the site. The Antelope Valley Community Center is located approximately 47,500 feet from the closest grow area. Coleville High School and Antelope Elementary School are approximately 15,300 feet and 15,500 feet, respectively, from the closest grow area.

#### **13070 D. Setbacks.**

*All commercial cannabis activities shall meet existing setbacks established in General Plan Chapter 4 – Land Use Designations and 4.120 Yards and Setbacks.*

All proposed structures and grow areas meet setback standards for agriculture designations (50' front, 30' rear, 30' side).

#### **13.070 E. Odor Control.**

*An odor mitigation plan is required to demonstrate that odors generated by the commercial cannabis activity shall not unreasonably impact adjacent properties and uses, or that odor mitigation measures are not applicable due to lack of cannabis-related odor generation, location or siting, design features, or other factors.*

Odor generated from outdoor cannabis cultivation is difficult to analyze due to several variables including peak concentrations, atmospheric conditions, and topography. Each project has a unique set of conditions. In the case of this proposal, the significant buffer from the grow site to the nearest receptor, other than the property owner, provides some level of confidence that no significant impacts related to odors will occur on a regular basis.

Most rural counties in California have analyzed odor on a project-specific basis. Santa Barbara County provides one of the few standardized models for buffers on cannabis cultivation, in which the General Environmental Impact Report for all potential cannabis projects was conducted. The report separates buffer requirements for cultivation projects based on location: the more rural areas that have larger lots (and therefore can support larger grows) are required to have a 1,500-foot buffer, while areas with smaller lots (and smaller grows) are subject to a 600-foot buffer. The 1,500-foot buffer was the largest required cannabis buffer in California at the time of its adoption in June 2018.

The nearest non-family residence (APN 002-450-023) receptor is approximately 2,265 feet from the grow area. This distance provides a strong level of confidence that no significant impacts related to odors will occur at the nearest receptors.

If odor is identified as a nuisance during the annual renewal process, odor abatement systems could be installed in the buildings. Abatement methods could vary from nonaqueous odor control systems to fan misters and carbon filters.

**13.070 F. Signage.**

*A Sign Plan shall be required to demonstrate compliance with General Plan Land Development Regulations, Chapter 4.190 Signs, and Chapter 7 Signs.*

The project does not propose any signage.

**13.070 G. Visual Screening.**

*All Cannabis, Cannabis Products and Cannabis Accessories shall be screened from view from a public right of way to the best of the Permittee's ability.*

Due to the remote location of the proposed site, visual screening issues are minimal. The proposed microbusiness is not in view of any residences. Exterior finishes shall be dark earth tones with non-reflective materials. The parcel is completely fenced with a barbed wire fence and a gate at the entrance of the property. For each building, security cameras and outdoor lighting (which will be Chapter 23 compliant), will be installed. The fence and gates will be maintained as part of the site security.

**13.070 H. Lighting.**

*All commercial cannabis activities shall comply with General Plan Land Use Element Chapter 23 – Dark Sky Regulations regardless of activity type or Premise location.*

Minimal outdoor lighting is planned. Lights provided around entries to buildings are for safety purposes. Lighting will be focused downward with motion sensors, to ensure minimal light pollution. No interior lighting will be visible from outside the building. All lighting will comply with the Mono County General Plan, Chapter 23 Dark Sky Regulations.

**13.070 I. Parking.**

*A Parking Plan depicting availability and requirements for parking shall be submitted. The Plan shall demonstrate the provision of adequate on-site parking for all employees and allow for loading and unloading.*

There will be 12 parking spaces that will each be 9' x 18' in size near the buildings, on hard-packed dirt. Two parking areas are shown on the site plan (Attachment A), with six parking spots available for each area. Additionally, there will be four parking spots at the employee residence.

**13.070 J. Noise.**

*Noise generation shall comply with the Mono County General Plan Noise Element and Mono County Code, Chapter 10.16.*

The project is not expected to generate noise beyond that of similar agricultural operations.

**ENVIRONMENTAL REVIEW**

The County contracted with Resource Concepts Inc. (RCI) to conduct a 15183 analysis (Attachment B). CEQA mandates that projects consistent with the development density established by existing zoning, community plan, or general plan policies for which an Environmental Impact Report (EIR) was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects peculiar to the project or its site. The 15183 analysis found no significant impacts peculiar to cannabis microbusiness or beyond the scope of mitigation measures stated in the Mono County General Plan EIR. The 15183 analysis specifically reviewed potential impacts related to land use, housing, soils, water, air quality/odors, transportation, biological resources, energy and mineral resources, hazards, noise, public services, utilities, aesthetics, cultural resources, recreation, and greenhouse gas emissions (GHG).

Ultimately, the review determined:

1. The project is consistent with the surrounding land uses of the proposed project;
2. The land use and planning impacts of the proposed agricultural cultivation were analyzed in the EIRs certified in conjunction with the adoption of the Mono County General Plan;
3. The parcel is no different from other agricultural parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project;
4. There is no new substantial information indicating that the land use and planning impacts of the project will be more severe than described in the EIR; and
5. There are no cumulative or off-site land use and planning impacts from the proposed project that were not addressed in the prior EIR.

This staff report has been reviewed by the Community Development Director.

**PUBLIC HEARING NOTICE**

A public hearing notice was posted in the May 4, 2019, issue of The Sheet (Attachment D) and was mailed to the surrounding property owners within 300 feet of the proposed project. No public comment was received.

**ATTACHMENTS**

- A. Site Plan
- B. Loading and Unloading Areas
- C. 15183 Report

D. Public Hearing Notice



**CONDITIONS OF APPROVAL**

## Use Permit 19-002/Walker River Farms Cannabis Microbusiness

1. All development shall meet requirements of the Mono County General Plan, Mono County Code, and project conditions.
2. Project shall comply with Chapter 13, Cannabis Regulations.
3. Project is required to obtain a Mono County Cannabis Operation Permit pursuant to Mono County Code 5.60 and appropriate state licensing prior to commencing operation. A copy of state licenses shall be provided to the Mono County Community Development Department.
4. Project shall be in substantial compliance with the site plan as shown on Attachment A found in the staff report.
5. Project is required to comply with any requirements of the Antelope Valley Fire Protection District.
6. Exterior lighting must comply with Chapter 23, Dark Sky Regulations.
7. Project shall provide 12 parking spaces, as shown on site plan.
8. Project shall not exceed four buildings and 8,600 square feet, as proposed and shown on site plan. No additional activities, infrastructure, or expansion may occur without Planning Commission approval.
9. Applicant must maintain active business license and tax certificate requirements.
10. The driveway shall comply with Chapter 22, Fire Safe Regulations.
11. Exterior finishes on all buildings shall be dark earth tone colors like Shaker Gray from Dunn-Edwards Paints and non-reflective.
12. If odor impacts are verified as defined by a cannabis odor enforcement program, odor mitigation may be required.
13. In the event of discovery or recognition of any human remains, all work shall be stopped, and there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the County has examined the site (California Health and Safety Code § 7050.5).
14. Project shall comply with all Mono County Building Division, Public Works, and Environmental Health requirements.
15. If any of these conditions are violated, this permit and all rights hereunder may be revoked in accordance with Section 32.080 of the Mono County General Plan, Land Development Regulations.

ATTACHMENT A: SITE PLAN



**ATTACHMENT B: LOADING AND UNLOADING AREAS**





**ATTACHMENT C: CEQA 15183 ENVIRONMENTAL ANALYSIS**

**CEQA Guidelines §15183  
Environmental Analysis**

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*—for—*

**Walker River Farms Cannabis Microbusiness  
Mono County, California**

May 2019

Prepared by:  
Mono County Community Development Department  
Planning Division  
Post Office Box 347  
Mammoth Lakes, CA 93546

# CEQA Guidelines §15183 Environmental Analysis

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—for—

## Walker River Farms Cannabis Microbusiness Mono County, California

May 2019

### LIST OF PREPARERS

**RESOURCE CONCEPTS, INC.**  
340 N Minnesota St  
Carson City, NV 89703  
Contact Person: Lynn Zonge  
(775) 883-1600

**Mono County Planning Staff**  
Mono County Community Development Department  
Planning Division  
Post Office Box 347  
Mammoth Lakes, CA 93546  
Contact Person: Bentley Regehr  
(760) 924-4602

**Project Sponsor**  
Kevin Dortch  
Walker River Farms  
kevin@engmaterialsllab.com  
8511 Wellsford Place - Suite G  
Santa Fe Springs, CA 90670  
Tel 562.945.2138

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**Attachments**

- A. Project Maps
- B. Integrated Pest Management Plan
- C. Waste Management Plan
- D. Lahontan Regional Water Quality Control Board Letter
- E. Energy Consumption Comparison
- F. Cultural Resource Information

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## I. INTRODUCTION

The California Environmental Quality Act (CEQA) requires public agencies to consider and analyze the potential environmental effects of certain activities and establishes a process for determining whether the activity is subject to CEQA requirements. Activities are subject to CEQA if they (a) involve the exercise of discretionary powers, (b) have potential to impact the environment, and (c) meet the definition of a 'project,' and (d) are not categorically or statutorily exempt from CEQA.

CEQA Guidelines §15183 provides a specific CEQA review process for qualifying projects that are consistent with a community plan or zoning. Under these regulations (reflected in California Public Resources Code (PRC) §21083.3 and CEQA Guidelines §15183), projects that are consistent with the development density of existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified shall be exempt from additional CEQA analysis except as may be necessary to determine whether there are project-specific significant effects that are peculiar to the project or site that would otherwise require additional CEQA review.

Mono County has existing land use, community plan and general plan policies for which an EIR was certified; including the Mono County General Plan, Final Environmental Impact Report (FEIR) certified in 2015 (SCH # 2014061029). This contains analysis of general plan policies for all required general plan elements and the zoning code governing land uses, which is integrated into Mono County's General Plan.

The Mono County Planning Division has prepared an Initial Study checklist to determine whether there are project-specific significant effects that are peculiar to the project or to the site. As mandated by the CEQA Guidelines Section 15183, this checklist identifies whether environmental effects of the project:

1. Are peculiar to the project or the parcel on which the project would be located;
2. Were not analyzed as significant effects in a prior EIR on the land use, general plan, or community plan, with which the project is consistent;
3. If environmental effects are identified as peculiar to the project and were not analyzed in a prior EIR, are there uniformly applied development policies or standards that would mitigate the environmental effects;
4. Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the General Plan, community plan, or land use; or
5. Are there previously identified significant effects which, because of substantial new information that was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

Further examination of environmental effects related to the project is limited to those items identified in the checklist as meeting one of the above criteria.

## II. PROJECT INFORMATION

|  |   |
|--|---|
| <b>Project Title:</b>  | Walker River Farms Cannabis Microbusiness   |
| <b>Lead Agency Name, Address with Contact Person and Phone Number:</b> | Mono County Community Development Department<br>Planning Division<br>P.O. Box 347<br>Mammoth Lakes, CA 93546<br>Bentley Regehr (408) 638-0968 |
| <b>Project Location:</b>   | Walker River Farms is located at<br>1129 Larson Lane, Coleville, California   |
| <b>Plan Area:</b>  | Antelope Valley   |
| <b>Assessor Parcel Number (APN):</b>                                   | 002-110-021-000   |

**Description of Project**

The proposed project is an indoor cannabis microbusiness operation with a total disturbance area of 25,000 ft<sup>2</sup> within APN 002-110-021-000, a 394.5-acre parcel. The cannabis canopy will be roughly 8,600 square feet. The entire operation consists of four buildings with 2,150 square feet of canopy each plus 1,280 square feet of ancillary activities each. The General Plan designation of the property is Agriculture with 10-acre parcel size minimum. Maps and figures are provided in Attachment A.

A Mono County Use Permit and Operations Permit for the microbusiness will be submitted to conduct operations. State permits to cultivate cannabis will consist of one small indoor microbusiness license.

Each building will have two rooms for mature and immature plant processing, as well as cannabis waste storage, with a canopy of 1,075 square feet each. Directly attached to the northeast face of Buildings 1 and 3 and the southwest face of Buildings 2 and 4 are rooms for the ancillary activities, with no canopy. These will each be 1,280 square feet. In Building 1, this room will be used for packaging & labeling (distribution), batch sampling, processing and immature plants. In Buildings 2-4, this room will be used for immature plants processing, cannabis waste storage distribution packaging & labeling limited access.

Each of the four Buildings will have four water tanks, with two on the east side and two on the west side of each building. An on-site, existing well will be used for all irrigation. 1,000 gallons of water per day is estimated to be used, for the canopy areas. Any irrigation runoff will be collected and stored in irrigation runoff storage tanks. Relatively impermeable floors, as specified by the Lahontan Regional Water Quality Control Board (LRWQCB) will funnel water to the tanks.

All wastewater will be hauled off site by a licensed waste water transportation and disposal specialist, according to State Water Board requirements. The expectation is that less than three percent of cultivation water will be generated as waste, or about 30 gallons per day. Due to evaporation, most of this will be lost.

Hand watering and computerized drip method irrigation will be used during crop production. Both methods provide only the amount of water that the plant uptakes. By using these highly customized methods, adjustments will be made carefully throughout plant life to conserve water.

Pesticides, fungicides, rodenticides and other plant protectants that are intended to be used are outlined in the Integrated Pest Management Plan (Attachment B). All plant protectants will be stored in dedicated 30 square foot chemical storage areas in each building.

The four buildings would be licensed under one small indoor license. The small indoor cultivation areas are organized as indicated on the figures in Attachment A. All growing operations will occur within each of the four buildings, the footprint of the entire operation is not to exceed 10,000 square feet. All plants will be grown under artificial light.

Processing of the plants will occur within each of the four buildings when the plants reach maturity. All plant material waste will be transported to the Walker Landfill and Transfer Station as necessary. Waste management operations are detailed in the Waste Management Plan (Attachment C).

The parcel is completely fenced with a barbwire perimeter fence. On each building security cameras and outdoor lighting will be installed. The fence and gates will be maintained as a part of the site security. A security plan, which is confidential as provided by state law, will meet California Department of Food and Agriculture (CDFA), Mono County Sheriff requirements and approval.

Walker River Farms may employ up to 10 employees at build out, and five part time employees indefinitely who, during Phase I, will be friends and family. All employee training will be conducted one-on-one. Appropriate California labor regulations will be followed.

Main access to the premise will be from Hwy 395 to Larson Lane. From Larson Lane the private driveway extends north into the parcel approximately a third of a mile to the project site. The private drive way is gravel and is not planned to be improved further. Parking will be near buildings 1-4 on hard packed dirt. There are two parking areas shown on the drawings at 162 ft<sup>2</sup> for each vehicle space for a total of 1,944 ft<sup>2</sup> for parking. While the drawings show spaces for 12 vehicles, there is ample parking in the area surrounding the buildings.

**Physical Characteristics of the Property**

- The property is situated at about 5,200 feet in elevation near the West Walker River.
- The project area is typical of a dryland horse pasture and is relatively flat and slopes gently to north.
- There is one home on APN 002-110-021 which will become employee housing. Adjacent to the parcel is the landlord's home (APN 002-110-013-000) and the landlord's family's home (APN 002-110-020-000). The landlord's house is approximately 2,300 ft<sup>2</sup> and is about 470 feet from the project site. The landlord's family's home is approximately 990 feet away from the site and is approximately 2,600 ft<sup>2</sup>. Employee housing is about 200 feet from the project site and is approximately 900 ft<sup>2</sup>. See the Surrounding LUD figure in Attachment A.
- The parking areas are not delineated specifically and consist of hard packed dirt areas.
- In addition to the three homes, there are also several existing storage buildings, barns, corrals, wells, a well house, a powerline, access roads, fences, irrigation equipment, and other miscellaneous equipment relating to agriculture within 500 feet of the site.
- There are several agricultural fields owned by the landlord surrounding the project site within APN 002-110-021-000. The fields are primarily used for hay production as well as livestock grazing. Activities in the surrounding fields are not affiliated with Walker River Farms operations. Cannabis is not and will not be cultivated in the agricultural fields and would not impact adjacent agricultural practices.
- Photos 1 and 2 provide general overviews of the project area.

**Surrounding Land Use Designations**

- APN 002-110-021-000 is designated by the county assessor for agricultural use.
- The land use designations adjacent to APN 002-110-021-000 are described below

|                  |  |
|------------------|--|
| <b>East:</b>     | Private Land – Agriculture   |
| <b>West:</b>     | Private Land – Agriculture   |
| <b>South:</b>    | Private Land Agriculture   |
| <b>North:</b>    | Private Land – Agriculture   |
| <b>Southwest</b> | Public and Quasi-Public Facilities (Antelope Valley Fire Station)/ Private residence within Private Land designated for Agriculture. |

**Access**

- The project area is currently accessed from an existing driveway that extends north from Larson Ln. about a third of a mile to the project site.

**Utilities**

- The existing utilities for the project area are as follows:

|                      |                        |
|----------------------|------------------------|
| <b>Water Supply:</b> | Private Well           |
| <b>Sewer:</b>        | Private Septic System  |
| <b>Garbage:</b>      | D&S Waste Removal Inc. |
| <b>Electricity:</b>  | Liberty Energy         |



Photo 1. Looking to the northwest from the Project Area, April 8, 2019



Photo 2. Looking to the southwest from the project area. The land lord's house is just beyond the trees in the left-hand side of the photo. Employee housing is in the white building on the right-hand side.



### III. AGENCY JURISDICTION AND APPROVALS

Mono County is Lead Agency for this CEQA §15183 review. Mono County is responsible for the necessary Use Permit and Operations Permit.

Licensing and regulating commercial cannabis cultivators to ensure public safety and environmental protection in California is the purview of CalCannabis Cultivation Licensing, a division of the CDFA. CDFA prepared a Program Environmental Impact Report (PEIR) to provide a transparent, and comprehensive evaluation of the anticipated regulations and the activities that would occur in compliance with the regulations. Under this program, cannabis cultivation can occur in a combination of urban, rural, natural, and agricultural settings in the State.

A microbusiness license allows a licensee to engage in the cultivation of cannabis on an area less than 10,000 square feet and to act as a licensed distributor, Level 1 manufacturer Type 6), and retailer, as specified in an application. In order to hold a microbusiness license, a licensee must engage in at least three of the four listed commercial cannabis activities. Licensees are required to comply with all rules and regulations, including applicable regulations adopted by the CDFA and the California Department of Public Health, governing the activities they are engaged in.

The LRWQCB is also responsible for protection of water resources. Approval from this board is also required.

Government Code § 65300 requires each county to "adopt a comprehensive long-term general plan for the physical development of the county." Mono County is unique in that the General Plan and Zoning Code have been combined into one document. Walker River Farms falls within the Area Plan for Antelope Valley.

The AG LUD permits cannabis microbusiness, subject to a use permit, in compliance with Chapter 13 of the General Plan, and a Cannabis Operation Permit pursuant to code chapter 5.60.

### IV. PROJECT COMPLIANCE WITH SECTION 15183

The project site is designated Agriculture (AG) in the Mono County General Plan. The purpose of the Agriculture district in Antelope Valley is "To preserve and encourage agricultural uses, to protect agricultural uses from encroachment from urban uses, and to provide for the orderly growth of activities related to agriculture". The proposed project is also consistent with the local planning policies for the Antelope Valley which are aimed at preserving agriculture over residential development.

### VI. ANALYSIS

The following CEQA section 15183 is based on Public Resources Code Section 21083.3 and Section 15183 of the CEQA Guidelines. The checklist assesses potential environmental impacts to determine whether they meet requirements for assessment under Section 15183; i.e.,

1. Are potential impacts peculiar to the project or parcel?
2. Were the impacts addressed in a previously certified EIR?
3. If an impact is peculiar to the project and was not addressed in a prior EIR, are there uniformly applied development policies or standards that would mitigate the impact?
4. Are there potentially significant cumulative or off-site impacts that were not discussed in the prior EIR?
5. Is there substantial new information to show that a potential impact would be more significant than previously described?



## CEQA §15183 Environmental Analysis

|                                  | <b>Issues &amp; Supporting Information Sources</b>   | Impact potentially peculiar to the project or parcel? | Was the impact addressed in the prior EIR? | If peculiar and not addressed, are there uniformly applied development policies or standards that would mitigate? | Potentially significant cumulative or off-site impacts not discussed in the prior EIR? | Substantial new information showing impact more significant than previously described? |
|----------------------------------|--|---|--|---|--|--|
| <b>1) Land Use and Planning</b>  |  |   |  |   |  |  |
| a)                               | Conflict with general plan designation or zoning?  | No  | Yes  | N/A   | No   | No   |
| b)                               | Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?   | No  | Yes  | N/A   | No   | No   |
| c)                               | Be incompatible with existing land use in the vicinity?  | No  | Yes  | N/A   | No   | No   |
| d)                               | Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible land uses)?                               | No  | Yes  | N/A   | No   | No   |
| e)                               | Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?                                   | No  | Yes  | N/A   | No   | No   |
| <b>2) Population and Housing</b> |  |   |  |   |  |  |
| a)                               | Cumulatively exceed official regional or local population projections?   | No  | Yes  | N/A   | No   | No   |
| b)                               | Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)? | No  | Yes  | N/A   | No   | No   |
| c)                               | Displace existing housing, especially affordable housing?  | No  | Yes  | N/A   | No   | No   |
| <b>3) Geology and Soils</b>      |  |   |  |   |  |  |
| a)                               | Fault rupture?   | No  | Yes  | N/A   | No   | No   |
| b)                               | Seismic ground shaking?  | No  | Yes  | N/A   | No   | No   |
| c)                               | Seismic ground failure, including liquefaction?  | No  | Yes  | N/A   | No   | No   |
| d)                               | Seiche, tsunami, or volcanic hazard?   | No  | Yes  | N/A   | No   | No   |
| e)                               | Landslides or mudflows?  | No  | Yes  | N/A   | No   | No   |
| f)                               | Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill?  | No  | Yes  | N/A   | No   | No   |
| g)                               | Subsidence of the land?  | No  | Yes  | N/A   | No   | No   |
| h)                               | Expansive soils?   | No  | Yes  | N/A   | No   | No   |
| i)                               | Unique geologic or physical features?  | No  | Yes  | N/A   | No   | No   |
| <b>4) Water Resources</b>        |  |   |  |   |  |  |
| a)                               | Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?  | No  | Yes  | N/A   | No   | No   |
| b)                               | Exposure of people or property to water related hazards such as flooding?  | No  | Yes  | Yes   | No   | No   |

|  | <b>Issues &amp; Supporting Information Sources</b>  | <b>Impact potentially peculiar to the project or parcel?</b> | <b>Was the impact addressed in the prior EIR?</b> | <b>If peculiar and not addressed, are there uniformly applied development policies or standards that would mitigate?</b> | <b>Potentially significant cumulative or off-site impacts not discussed in the prior EIR?</b> | <b>Substantial new information showing impact more significant than previously described?</b> |
|--|---|--|---|--|---|---|
| c)   | Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity)?  | No   | Yes   | N/A  | No  | No  |
| d)   | Changes in the amount of surface water in any water body?   | No   | Yes   | N/A  | No  | No  |
| e)   | Changes in currents, or the course or direction of water movements?   | No   | Yes   | N/A  | No  | No  |
| f)   | Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability? | No   | Yes   | N/A  | No  | No  |
| g)   | Altered direction or rate of flow of groundwater?   | No   | Yes   | N/A  | No  | No  |
| h)   | Impacts to groundwater quality?   | No   | Yes   | N/A  | No  | No  |
| i)   | Substantial reduction in the amount of groundwater otherwise available for public water supplies?   | No   | Yes   | N/A  | No  | No  |
| <b>5) Air Quality and Green House Gasses</b> |   |  |   |  |   |   |
| a)   | Violate any air quality standard or contribute to an existing or projected air quality violation?   | No   | Yes   | N/A  | No  | No  |
| b)   | Expose sensitive receptors to pollutants?   | No   | Yes   | N/A  | No  | No  |
| c)   | Alter air movement, moisture, or temperature, or cause any change in climate?   | No   | Yes   | N/A  | No  | No  |
| d)   | Create objectionable odors?   | No   | Yes   | N/A  | No  | No  |
| <b>6) Transportation/Circulation</b>         |   |  |   |  |   |   |
| a)   | Increased vehicle trips or traffic congestion?  | No   | Yes   | N/A  | No  | No  |
| b)   | Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?   | No   | Yes   | N/A  | No  | No  |
| c)   | Inadequate emergency access or access to nearby uses?   | No   | Yes   | N/A  | No  | No  |
| d)   | Insufficient parking capacity on-site or off-site?  | No   | Yes   | N/A  | No  | No  |
| e)   | Hazards or barriers for pedestrians or bicyclists?  | No   | Yes   | N/A  | No  | No  |
| f)   | Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?  | No   | Yes   | N/A  | No  | No  |
| g)   | Rail, waterborne or air traffic impacts?  | No   | Yes   | N/A  | No  | No  |
| <b>7) Biological Resources</b>               |   |  |   |  |   |   |
| a)   | Endangered, threatened or rare species or their habitats (including but not limited to: plants, fish, insects, animals, and birds)?   | No   | Yes   | N/A  | No  | No  |

## CEQA §15183 Environmental Analysis

|  | <b>Issues &amp; Supporting Information Sources</b>   | Impact potentially peculiar to the project or parcel? | Was the impact addressed in the prior EIR? | If peculiar and not addressed, are there uniformly applied development policies or standards that would mitigate? | Potentially significant cumulative or off-site impacts not discussed in the prior EIR? | Substantial new information showing impact more significant than previously described? |
|--|--|---|--|---|--|--|
| b)                                       | Locally designated species (e.g., heritage trees)?   | No  | Yes  | N/A   | No   | No   |
| c)                                       | Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?  | No  | Yes  | N/A   | No   | No   |
| d)                                       | Wetland habitat (e.g., marsh, riparian and vernal pool)?   | No  | Yes  | N/A   | No   | No   |
| e)                                       | Wildlife dispersal or migration corridors?   | No  | Yes  | N/A   | No   | No   |
| <b>8) Energy and Mineral Resources</b>   |  |   |  |   |  |  |
| a)                                       | Conflict with adopted energy conservation plans?   | No  | Yes  | N/A   | No   | No   |
| b)                                       | Use non-renewable resources in a wasteful and inefficient manner?  | No  | Yes  | N/A   | No   | No   |
| c)                                       | Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the state? | No  | Yes  | N/A   | No   | No   |
| <b>9) Hazards</b>                        |  |   |  |   |  |  |
| a)                                       | A risk of accidental explosion or release of hazardous substances (including but not limited to: oil, pesticides, chemicals or radiation)? | No  | Yes  | N/A   | No   | No   |
| b)                                       | Possible interference with an emergency response plan or emergency evacuation plan?  | No  | Yes  | N/A   | No   | No   |
| c)                                       | The creation of any health hazard or potential health hazard?  | No  | Yes  | N/A   | No   | No   |
| d)                                       | Exposure of people to existing sources for potential health hazards?   | No  | Yes  | N/A   | No   | No   |
| e)                                       | Increased fire hazard in areas with flammable brush, grass or trees?   | No  | Yes  | N/A   | No   | No   |
| <b>10) Noise</b>                         |  |   |  |   |  |  |
| a)                                       | Increases in existing noise levels?  | No  | Yes  | N/A   | No   | No   |
| b)                                       | Exposure of people to severe noise levels?   | No  | Yes  | N/A   | No   | No   |
| <b>11) Public Services</b>               |  |   |  |   |  |  |
| a)                                       | Fire protection?   | No  | Yes  | N/A   | No   | No   |
| b)                                       | Police protection?   | No  | Yes  | N/A   | No   | No   |
| c)                                       | Schools?   | No  | Yes  | N/A   | No   | No   |
| d)                                       | Parks or recreational facilities?  | No  | Yes  | N/A   | No   | No   |
| e)                                       | Maintenance of public facilities, including roads?   | No  | Yes  | N/A   | No   | No   |
| f)                                       | Other governmental services?   | No  | Yes  | N/A   | No   | No   |
| <b>12) Utilities and Service Systems</b> |  |   |  |   |  |  |
| a)                                       | Power or natural gas?  | No  | Yes  | N/A   | No   | No   |
| b)                                       | Communications systems?  | No  | Yes  | N/A   | No   | No   |

## CEQA §15183 Environmental Analysis

|                               | <b>Issues &amp; Supporting Information Sources</b>  | Impact potentially peculiar to the project or parcel? | Was the impact addressed in the prior EIR? | If peculiar and not addressed, are there uniformly applied development policies or standards that would mitigate? | Potentially significant cumulative or off-site impacts not discussed in the prior EIR? | Substantial new information showing impact more significant than previously described? |
|-------------------------------|---|---|--|---|--|--|
| c)                            | Local or regional water treatment or distribution facilities?   | No  | Yes  | N/A   | No   | No   |
| d)                            | Sewer or septic tanks?  | No  | Yes  | N/A   | No   | No   |
| e)                            | Storm water drainage?   | No  | Yes  | N/A   | No   | No   |
| f)                            | Solid waste disposal?   | No  | Yes  | N/A   | No   | No   |
| g)                            | Local or regional water supplies?   | No  | Yes  | N/A   | No   | No   |
| <b>13) Aesthetics</b>         |   |   |  |   |  |  |
| a)                            | Affect a scenic vista or scenic highway?  | No  | Yes  | N/A   | No   | No   |
| b)                            | Substantially degrade the existing visual character or quality of the site and its surroundings?  | No  | Yes  | N/A   | No   | No   |
| d)                            | Create light or glare?  | No  | Yes  | N/A   | No   | No   |
| <b>14) Cultural Resources</b> |   |   |  |   |  |  |
| a)                            | Disturb paleontological, archaeological or historical resources?  | No  | Yes  | Yes   | No   | No   |
| b)                            | Restrict existing religious or sacred uses within the potential impact area?  | No  | Yes  | N/A   | No   | No   |
| <b>15) Recreation</b>         |   |   |  |   |  |  |
| a)                            | Increase the demand for neighborhood or regional parks or other recreational facilities?  | No  | Yes  | N/A   | No   | No   |
| b)                            | Affect existing recreational opportunities?   | No  | Yes  | N/A   | No   | No   |
| <b>16) Green House Gases</b>  |   |   |  |   |  |  |
| a)                            | Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?      | No  | Yes  | N/A   | No   | No   |
| b)                            | Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | No  | Yes  | N/A   | No   | No   |

## VII. DISCUSSION OF RESPONSES TO CHECKLIST ITEMS

### Introduction

Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 mandate that when a parcel has been zoned to accommodate a particular land use and density and an environmental impact report was certified for that zoning or planning action, then subsequent environmental review of a project consistent with that prior action shall be limited to those effects from the project that are peculiar to the parcel or the site unless substantial new information indicates that the effect will be more significant than previously described or there are potentially significant off-site or cumulative impacts not discussed in the prior EIR.

In determining whether an effect is peculiar to the project or the parcel, Public Resources Code Section 21083.3 and the CEQA Guidelines Section 15183 state that an effect *shall not be considered peculiar to the project if it can be substantially mitigated by uniformly applied development policies or standards that have previously been adopted by the County with a finding that the policies or standards will substantially mitigate that environmental effect when applied to future projects* (unless substantial new information shows that the policies or standards will not substantially mitigate the environmental effect).

Potential effects peculiar to this project will be limited since the project is being developed in an agricultural area. Most of the effects of the project were identified in the EIR certified by the County in conjunction with the adoption and update of the Mono County General Plan and are not unique or peculiar to the proposed project.

The area is suitable for the proposed agricultural use and utilities with enough capacity for the project are in place or can be extended. The potential environmental effects of the project are in conformance with the requirements of the CEQA Guidelines Section 15183.

#### 1) Land Use and Planning

##### Compliance with General Plan, Area Plan, and Land Use Designation

The project site is in Antelope Valley on land designated as Agriculture-10 (AG-10) and surrounded by land designated as agriculture as illustrated by the Surrounding LUD figure in Attachment A. Agricultural uses are allowed uses on land designated as Agriculture.

The Mono County Regional Transportation Plan and General Update Land Use Element serve as foundations for all land use decisions. The Mono County General Plan Land Use Element contains policies and land use designations to guide land use decisions, as well as land development regulations to regulate development activities.

Commercial cannabis activities in AG land use designations are uses permitted subject to a use permit and include nursery; cultivation; processing; manufacturing Type 6, P, and N; distribution; retail; microbusiness (only individual cannabis activities permitted in this designation shall be permitted in a microbusiness and accessory to the main use only), conducted in compliance with requirements of Chapter 13 of the Land Development Regulations and with the permit and operation requirements of Chapter 5.60 of the Mono County Code.

The project is consistent with the General Plan, including the following goals and policies:

##### Mono County General Plan, Land Use Element

- Policy 1.A.5. Avoid the juxtaposition of incompatible land uses.
- Action 1.A.5.a. The compatibility of adjacent uses (e.g., noise, traffic, type of development) shall be a major factor in determining land use designations for private property.
- Policy 1.G.1. Protect lands currently in agricultural production.

- Action 1.G.1.a. Designate large parcels in agricultural use as "Agriculture," and streamline re-designations for agricultural purposes by processing a discretionary permit (when applicable) concurrently with the land use designation change.
- GOAL 2. Develop a more diverse and sustainable year-round economy by strengthening select economic sectors and by pursuing business retention, expansion, and attraction in Mono County.
- Policy 2.A.1. Integrate the adopted Economic Development Strategic Plan into General Plan policies.

**Planning Area Land Use Policies: Antelope Valley**

- Policy 4.A.3. Along the HWY 395 corridor between existing communities, provide for limited development that is compatible with natural constraints and the Valley's scenic qualities.
- Action 4.A.3.a. Maintain the large-lot residential nature of the HWY 395 corridor.
- Policy 4.B.1. Maintain and enhance scenic resources in the Antelope Valley.
- Action 4.B.1.a. In order to protect and enhance important scenic resources and scenic highway corridors, designate such areas in the Antelope Valley for Open Space, Agriculture, or Resource Management.
- Action 4.B.1.d. Conserve scenic corridors by maintaining and expanding large-lot land uses.
- Policy 4.B.2. Preserve the agricultural lands and natural resource lands in the Antelope Valley.
- Policy 4.B.6. Preserve rural character of lands within the Antelope Valley.
- Action 4.B.6.a. Allow the storage of heavy equipment on parcels greater than five acres in the Antelope Valley for personal on-site use or community benefit.
- Objective 4.D. Maintain and enhance the local economy.
- Policy 4.D.1. Incubate home businesses.

**Mono County General Plan, Conservation/Open Space Element**

*Agriculture, Grazing and Timber*

- GOAL 5. Preserve and protect agricultural and grazing lands in order to promote both the economic and open-space values of those lands.
- Policy 5.B.1. Limit land uses within viable agricultural areas to those that are compatible with agricultural uses.
- Action 5.B.1.a. Maintain, in those agricultural land use categories where small parcels may be permitted, the largest land area for agricultural use. Limit the number of clustered lots in any one area to avoid the potential conflicts associated with residential intrusion.
- Policy 5.B.2. The primary use of any parcel within an agricultural land use category shall be agricultural production and related processing, support services and visitor-serving services. Residential uses in these areas shall recognize that the primary use of the land may create agricultural "nuisance" situations such as flies, noise, odors, and spraying of chemicals.
- Action 5.B.2.a. Facilitate agricultural production by permitting limited agricultural support service uses that support local agricultural activities and are not harmful to the long-term agricultural use in the area.

***Determination***

The project is consistent with the surrounding land uses of the proposed project.

- The land use and planning impacts of the proposed agricultural microbusiness were analyzed in the FEIRs certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other agricultural parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the land use and planning impacts of the project will be more severe than described in the FEIR.

- There are no cumulative or off-site land use and planning impacts from the proposed project that were not addressed in the prior FEIR.

## 2) Population and Housing

The General Plan Land Use Element density for parcel APN 002-110-021-000, located in Antelope Valley, is one unit per lot plus an accessory building. The proposed project would not add any new homes. An existing home on site would provide housing for four employees. The existing parking area for employees living on site is ample for their vehicles. Farm labor housing is a permitted use in AG land use designations.

The project is typical of other agricultural activities. Walker River Farms may employ up to ten employees. At build out there will be a maximum of five full time, and five part time employees. The maximum number of employees that Walker River Farms may employ (ten) will not result in substantial population growth in Mono County. Additionally, onsite housing will accommodate nearly all employees for the initial years of operation.

The project is consistent with the General Plan in the following policies and actions:

### **Mono County General Plan, Land Use Element**

- Policy 1.D.4. Require future development projects with the potential for significant housing impacts to provide a fair share of affordable and workforce housing units.
- Action 1.D.4.a. The County shall work with proponents during the specific plan or planning permit processes to ensure compliance.
- Action 1.D.4.b. The County shall monitor the employee housing programs to ensure compliance and adjust employee housing policies when necessary.

While Policy 1.D.4 does not specifically define a "significant housing impact;" past housing policies indicated an increase of more than 10 employees and the suspended Housing Mitigation Ordinance proposes a 10% inclusionary housing rate. The ten employees proposed for long-term employment do not exceed either of these anecdotal standards, and the project also includes farm labor housing consisting of a 900 square foot house located about 200 feet from the project site.

### **Determination**

- The population and housing impacts of the proposed agriculture microbusiness were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the population and housing impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site population and housing impacts from the proposed project that were not addressed in the FEIR.

## 3) Geology and Soils

Mono County has been designated as a Seismic Zone 4, the zone of greatest hazard defined in the Uniform Building Code. Consequently, new construction in the county must comply with stringent engineering and construction requirements (Government Code §8875). There are four buildings proposed for new construction. Building permits will be acquired from the county and will built to county code. All construction will be related to the proposed microbusiness.

The Mono County General Plan and Land Development Regulations and the Mono County Regional Transportation Plan contain policies and standards concerning geology that have been applied to this project as follows:



**Mono County General Plan, Land Use Element**

OBJECTIVE 1.H. Prevent the exposure of people and property to unreasonable risks by limiting development on hazardous lands.

**Determination**

- The geologic impacts of the proposed agricultural microbusiness were analyzed in the FEIRs certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that geologic impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site geologic impacts from the proposed project that were not addressed in the FEIR.

**4) Water Resources**

The existing utilities on the property have sufficient capacity to serve the proposed use. There is no new utility proposed with this project. The existing well will be used for irrigation water for the cultivation activities.

Alfalfa or other hay crops in Antelope Valley typically require four acre-feet of water per acre or 1,303,405 gallons of water per year. The proposed microbusiness covers one acre of land and proposes to use 365,000 gallons of water per year. Irrigation to the crop will be precise, starting with hand watering and later transitioning to computer automated drip system, and the crop will be indoors so there will be significantly less evaporation than with outdoor alfalfa.

Water usage for agriculture was analyzed in the 2015 EIR and is not peculiar to the project. The groundwater basin is not subject to the State of California Sustainable Groundwater Management Act of 2014 because it is in a low priority basin (<https://water.ca.gov/Programs/Groundwater-Management/Basin-Prioritization>). The State Water Resources Control Board will monitor water usage for this proposed project. Regulations are set forth in the cannabis cultivation policy (Attachment A, Section 2, #99). Cannabis cultivators must maintain daily water use records for five years.

A letter from the LRWOCB states that the site plans comply with requirements of the General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities WQ 2017-0023-DWQ (Attachment D).

CDFA oversees licensee compliance of pesticides and fertilizers through the inspection and enforcement methods contained in the proposed regulations from reports from the County Agricultural Commissioner and other agencies. The Inyo and Mono Counties Agricultural Commissioner's Office conducts inspections roughly every year depending on the products being used (Nathan Reade, Agricultural Commissioner, Personal Comm. 11-29-2018).

The Mono County General Plan and Land Development Regulations and the Mono County Regional Transportation Plan contain policies and standards concerning water resources that have been applied to this project as follows:

**Mono County General Plan, Conservation/Open Space Element***Biological Resources*

- Policy 2.A.9. Maintain water quality for fishery habitat by enforcing the policies contained in the Water Quality and Agriculture / Grazing / Timber sections of the Conservation/Open Space Element.

*Water Resources and Water Quality*



- Goal 4: Protect the quality of surface and groundwater resources to meet existing and future domestic, agricultural, recreational, and natural resource needs in Mono County.
- Policy 4.A.4. Establish buffer zones where recharge occurs, including adjacent to surface waters, wetlands and riparian areas.
- Policy 4.B.5. Use of fertilizer, pesticide, and other chemicals on vegetation or soil in recharge zones should be minimized.
- Action 4.B.5.a. Work with the County Agricultural Commissioner and the Natural Resources Conservation Service to institute controls to protect water quality.
- Action 4.B.5.b. Work with the county Agricultural Commissioner and the Natural Resources Conservation Service to promote effective and minimal use of chemicals in landscaping and agriculture.
- General Plan 04.120.F.b. Any proposed structure, including associated impervious surfaces, shall be located a minimum of 30 feet from the top of the bank.

#### **Determination**

- The water resources impact of the proposed agricultural microbusiness was analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the impacts of the project on water resources will be more severe than described in the FEIR.
- There are no cumulative or off-site water resources impacts from the proposed project that were not addressed in the FEIR.

#### **5) Air Quality**

Proposed project operations will not violate any air quality standard or contribute substantially to an existing or projected air quality violation. All plants will be cultivated and processed indoors in four buildings. Initially electrical power will be provided by Liberty Utility from the power grid off Larson lane. However, the Topaz electrical substation's limited capacity may require the use of a generator to support operations.

As discussed in the General Plan EIR, Cal Recycle has conducted studies to identify odor sources associated with composting and has found that organic materials (used in composting) inherently generate a wide range and variety of odors resulting from the volatility of chemical compounds (whereby the compound is converted to a gas and enters the atmosphere). The character and strength of odors are highly subjective; sensitivity to an odor is greatly influenced by personal experience, gender, psychology and social factors.

The cannabis odorous compounds are a family of terpenoids. The exact odor causing compounds vary by strain/species of the plant. Typically, moderate cannabis odors start to appear between week 4 to 6 and strong odors appear during weeks 7 to 9. The intensity of the odor to the receptor varies by the quantity of odors released, local wind speed and direction, atmospheric stability or inversion height, area topography and receptor's distance from the odor source,

Most rural counties in California have analyzed odor on a project-specific basis. Santa Barbara County provides one of the few standardized models for buffers on cannabis cultivation, in which the General Environmental Impact Report for all potential cannabis projects was conducted. The report separates buffer requirements for cultivation projects based on location: the more rural areas that have larger lots (and therefore can support larger grows) are required to have a 1,500-foot buffer, while areas with smaller lots (and smaller grows) are subject to a 600-foot buffer. The 1,500-foot buffer was the largest required cannabis buffer in California at the time of its adoption in June 2018.

# **Attachment A**

Project Maps

Each project has a unique set of conditions. At this proposed facility the distance to the closest residence is about 2,300 feet. This distance provides a strong level of confidence that no significant impacts related to odors will occur at the nearest receptors.

The Mono County General Plan allows composting activities in the AG LUD to be limited to a maximum of 100 cubic yards of composted materials and subject to a requirement that it does not create a nuisance.

If odor is identified as a nuisance during the annual renewal process, odor abatement systems could be installed in the buildings. Abatement methods could vary from nonaqueous odor control systems to fan misters and carbon filters.

Using the most restrictive buffer requirements seen in other California Counties and making conservative estimates based on anecdotal evidence puts the grow area at a buffer distance that should reasonably reduce the impacts of odors to less than significant. The Mono County General Plan and Land Development Regulations and the Mono County Regional Transportation Plan contain policies and standards concerning air quality that have been applied to this project such as the following:

**Mono County General Plan, Conservation/Open Space Element**

*Public Health and Safety & Air Quality*

- Policy 23.A.8. Encourage agricultural practices that reduce the amount of dust generated from tilling.
- Action 23.A.8.a. Work with local resource conservation districts, the US Natural Resources Conservation Service, agricultural officials, and the GBUAPCD to assist landowners in adjusting agricultural practices to reduce dust generation.

**Determination**

- The air quality impacts of the proposed agricultural microbusiness were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the impacts of the project on air quality will be more severe than described in the FEIR.
- There are no cumulative or off-site impacts on air quality from the proposed project that were not addressed in the FEIR.

**6) Transportation and Circulation**

Trips to and from the project site generated by the proposed project will not substantially increase vehicle trips or cause traffic congestion. At full build out a maximum of ten employees are expected to work on site. Up to four employees may live on site in employee housing on site and six employees may commute to the site. Material pick up and delivery vans may access the project area four days per week or approximately 25 trips per month (combining inbound and outbound trips) by delivery/pickup vans carrying supplies related to the project.

Delivery vans and employees will access the site via Hwy 395 to Larson Lane which may cause an increase in traffic but will not impact the existing traffic load and capacity. Highway 395 is a designated interstate truck route and experiences heavy traffic. These additional trips would not exceed the capacity of Hwy 395 or Larson Lane.

The project will neither create barriers for pedestrians or bicyclists, nor will it conflict with policies supporting alternative transportation. The project will also not have any rail, waterborne, or air traffic impacts.

**Determination**

- The traffic and circulation impact of the proposed agricultural microbusiness were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the traffic and circulation impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site traffic and circulation impacts from the proposed project that were not addressed in the FEIR.

**7) Biological Resources**

The project area has been historically disturbed and is currently used as a horse pasture by the landlord. The site is above area delineated as flood plain by Federal Emergency Management Agency (see FEMA map in Attachment A). No wetlands exist within the footprint of the project site. Additionally, the area is not mapped as wetland or floodplain by the U.S. Fish and Wildlife wetland/floodplain mapping database (see NWI map in Attachment A).

The site does not provide unique habitat for sensitive wildlife or plant species. Due to sustained horse use, annual weedy species dominate the project area. Highline ditch flows north approximately 64 ft from the project area and is contained by manmade berms. No federally listed species are likely to occur because there is no habitat for sage grouse, fish or frogs, and no critical habitat is mapped in the project site.

**Mono County General Plan, Land Use Element***Planning Area Land Use Policies: Antelope Valley*

- Action 4.A.1.c. Limit the type and intensity of development in flood plain areas.
- Action 4.A.1.d. Prior to accepting a development application in potential wetland areas, require that the applicant obtain necessary permits from the US Army Corps of Engineers.

**Mono County General Plan, Conservation/Open Space Element***Biological Resources*

- Policy 2.A.g. Maintain water quality for fishery habitat by enforcing the policies contained in the Water Quality and Agriculture / Grazing/ Timber sections of the Conservation/Open Space Element.

**Determination**

- The biological resources impact of the proposed density of development were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the biological impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site biological impacts from the proposed project that were not addressed in the FEIR.

**8) Energy and Mineral Resources**

The project proposes that two power poles be installed extending off the existing power line that terminates near the landlord's residence. Power line extension would be coordinated with Liberty Utilities. The project is estimated to draw an average 250 Kw load with a max load of 625Kw. In addition to the proposed power line extension an

regrading alternative power sources for cannabis production. The project will follow all requirements of the County's Noise Ordinance (Mono County Code, Chapter 10.16).

The project is consistent with the surrounding residential land uses of the proposed project, and consistent with the General Plan, including the following goals and policies:

**Mono County General Plan, Conservation/Open Space Element**

*Agriculture, Grazing and Timber*

- Policy 5.B.2. The primary use of any parcel within an agricultural land use category shall be agricultural production and related processing, support services and visitor-serving services. Residential uses in these areas shall recognize that the primary use of the land may create agricultural "nuisance" situations such as flies, noise, odors, and spraying of chemicals.

**Determination**

- The noise impacts of the proposed agricultural microbusiness were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that noise impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site noise impacts from the proposed project that were not addressed in the FEIR.
- Noise impacts from the proposed project that were not addressed in the FEIR.

**11) Public Services**

The project is located within the Antelope Valley Fire District and will be required to comply with FPD regulations and the County's Fire Safe Regulations (Mono County Land Development Regulations, Chapter 22). As a part of these requirements, the permittee shall prepare, submit, and implement a Fire Prevention Plan for construction and ongoing operations and obtain a Will-Serve letter from the local fire protection district. The Fire Prevention Plan shall include, but not be limited to: emergency vehicle access and turnaround at the facility site(s), vegetation management and firebreak maintenance around all structures.

Police protection is provided by the Mono County Sheriff's Department.

**Determination**

- The public service impacts of the proposed agricultural microbusiness were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the public service impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site public service impacts from the proposed project that were not addressed in the FEIR.

**12) Utilities and Service Systems**

The proposed project will be served by two new power poles proposed to extend from the existing powerline currently terminating near the landlord's residence. Electricity, telephone, water, and waste disposal. Mono County

landfill facilities are not expected to be impacted by the proposed project. Water service is provided by an existing well. Demand on the other utilities is not expected to increase appreciably above and beyond existing uses.

#### **Determination**

- The utilities and service systems impact of the proposed agricultural microbusiness were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the utilities and service systems impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site utilities and service systems impacts from the proposed project that were not addressed in the FEIR.

### **13) Aesthetics**

The project site is not located adjacent to a county or state scenic highway. It is in a predominantly agricultural area; the development of crops will not substantially degrade the visual quality of the surrounding area. The two new power poles will comply with Mono County General Plan (Chapter 11) and will have minimal impacts on aesthetic value. Minimal outdoor lighting is planned. Lights provided around entries to buildings for safety. Lighting will be focused downward, and motion triggered to insure minimal light pollution. No interior lighting will be visible from outside the building. All lighting will comply with the Mono County General Plan regulations for Dark Sky (Chapter 23). All buildings will be painted close to the surrounding earth tones in coordination with Mono County, so the building does not attract attention. The existing barbwire fence and gates surrounding APN 002-110-021-000 will be maintained. The proposed agricultural activities are compatible with the character of the lands in Antelope Valley and with the agricultural character that Antelope Valley policies intend to preserve.

The Mono County General Plan and Land Development Regulations contain policies and standards concerning visual resources/aesthetics that have been applied to this project such as the following:

#### **Mono County General Plan Conservation/Open Space Element**

##### *Visual Resources*

- Policy 20.A.3. Preserve the visual identity of areas outside communities.
- Policy 20.C.2. Future development shall be sited and designed to be in scale and compatible with the surrounding community and/or natural environment.

#### **Planning Area Land Use Policies: Antelope Valley**

- Policy 4.B.1. Maintain and enhance scenic resources in the Antelope Valley.
- Policy 4.B.2. Preserve the agricultural lands and natural resource lands in the Antelope Valley.
- Policy 4.B.6. Preserve rural character of lands within the Antelope Valley.

#### **Determination**

- The aesthetic impacts of the proposed agricultural microbusiness were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the aesthetic impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site aesthetic impacts from the proposed project that were not addressed in the FEIR.

#### 14) Cultural Resources

The project area lies within a previously disturbed area and is currently used as horse pasture.

A record search covering a 0.5-mile radius surrounding the project area was requested of the Eastern Information Center (EIC). No archaeological sites near the project area have been determined to be eligible to The California Register of Historical Resources or the National Register of Historic Places. None are listed on the California Inventory of Historic Resources. A copy of correspondence from the California Historical Resources Information System is included as Attachment F.

California Health and Safety Code 7050.5 states in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the County inspects the site. Furthermore, California Public Resources code states upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed. The conditions of approval for the use permit reflect these work stoppage requirements. No disturbance of an archaeological site is permitted until the applicant hires a qualified consultant and an appropriate report that identifies acceptable site mitigation measures is filed with the county Planning Division.

##### **Determination**

- The cultural resource impacts of the proposed agricultural microbusiness were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan, and because the property was in agricultural production for many years no known archeological sites exist on the property.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the impacts of the project on cultural resources will be more severe than described in the FEIR.
- There are no cumulative or off-site impacts from the proposed project on cultural resources that were not addressed in the FEIR.

#### 15) Recreation

The project will not affect existing recreational opportunities since it is in an existing private agricultural area and most of the recreational opportunities in Mono County occur on public lands.

##### **Determination**

- The recreation impacts of the proposed agricultural microbusiness were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the impacts of the project on recreation will be more severe than described in the FEIR.
- There are no cumulative or off-site impacts from the proposed project on recreation that were not addressed in the prior EIR.



### 16) Green House Gases

Mono County conducted a baseline GHG emission inventory, GHG emission forecast and reduction targets and policies and programs to achieve reduction targets. The inventory includes analysis of County government activities and emissions associated with energy use (residential and nonresidential), transportation, off road equipment, solid waste generation, water and waste water transportation, residential/non-residential agriculture and landfills (Mono County Resource Efficiency Plan, 2014). The GHG inventory provided Mono County the information to assess the effectiveness of recommended policies and programs to reduce GHG and consumption of resources. The document details that the 2010 levels for known systematic agriculture emissions, provided by 99% livestock gestation and 1% fertilizer application, were 21,920 MT Co<sub>2</sub>e/year, and are projected to remain stable to 2020 through 2035. Agriculture operation's emissions comprise 16% of total baseline emissions in Mono County, making agriculture the fourth largest producer of GHG. While a large contributor of GHG, agriculture projections remain stable, and the promotion of optimal agriculture practices for fertilizer application will subtract 20 MTCO<sub>2</sub>e from total emissions, or 12,440 pounds of fertilizer.

The Mono County Sustainable Agricultural Strategy (2018) references Mono County's Resource Efficiency Plan as a baseline of emissions within the community and government operations. Based on the greenhouse gas emission inventory and analysis of threats, the strategy includes toolbox to provide initiatives, programs, and policies that support a sustainable agricultural industry in Mono County. Commercial cannabis activity is one of the market expansion and diversification tools. Cannabis is a high-value crop that can be grown on a smaller land base in comparison to traditional crops, which would result in lower green house gas emissions.

Because an indoor grow facility is relatively energy intensive, a comparison between a cannabis indoor facility and a vertical farm facility was completed and is provided in Attachment E. A five-level 8,680 ft<sup>2</sup> cannabis operation is comparable to a traditional vegetable vertical farming operation with the same amount of levels and area. Indoor cannabis cultivation is estimated to draw 2,187 megawatt-hours (MWh) annually as compared to traditional vertical farming at 2,810 MWhs annually. MWhs are used to ascertain energy draw for ventilation, lighting and miscellaneous use. Both operations also require supplemental heat which equates to the same amount at 8,815 gallons of Liquefied Petroleum Gas (gLPGs). In summary, the proposed cannabis cultivation would draw less power than a vertical vegetable farm. For further clarification see Attachment E.

#### **Determination**

- The green house gas impacts of the proposed agricultural microbusiness were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the impacts of the project on green house gases will be more severe than described in the FEIR.
- There are no cumulative or off-site impacts to green house gases from the proposed project that were not addressed in the FEIR.



**VIII. DETERMINATION**

Based on this initial evaluation:

I find that the proposed infill project WOULD NOT have any significant effects on the environment that have not already been analyzed. Pursuant to Public Resources Code §21083.3 and CEQA Guidelines §15183, projects that are consistent with the development density of existing zoning, community plan or general plan policies for which an EIR was certified shall be exempt from additional CEQA analysis except as may be necessary to determine whether there are project-specific significant effects that are peculiar to the project or site that would otherwise require additional CEQA review.

**A Notice of Determination (§15094) will be filed:**

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project and/or revisions in the project have been made by or agreed to by the project proponent.

**A Negative Declaration will be prepared:**

I find the proposed project MAY have a significant effect on the environment.

**Environmental Impact Report is required:**

I find that the proposed project MAY have a significant effect(s) on the environmental, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated."

**An Environmental Impact Report is required, but it must analyze only the effects that remain to be addressed.**

I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR 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, and uniformly applied development standards are required.

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Printed Name*

## IX. REFERENCES

Mono County Code.

Mono County General Plan. 2015.  
<https://monocounty.ca.gov/planning/page/general-plan>

Mono County General Plan Environmental Impact Report. 2015.  
<https://monocounty.ca.gov/planning/page/general-plan-eir>

Mono County Resource Efficiency Plan, 2014.

Mono County Sustainable Agricultural Strategy, 2018.

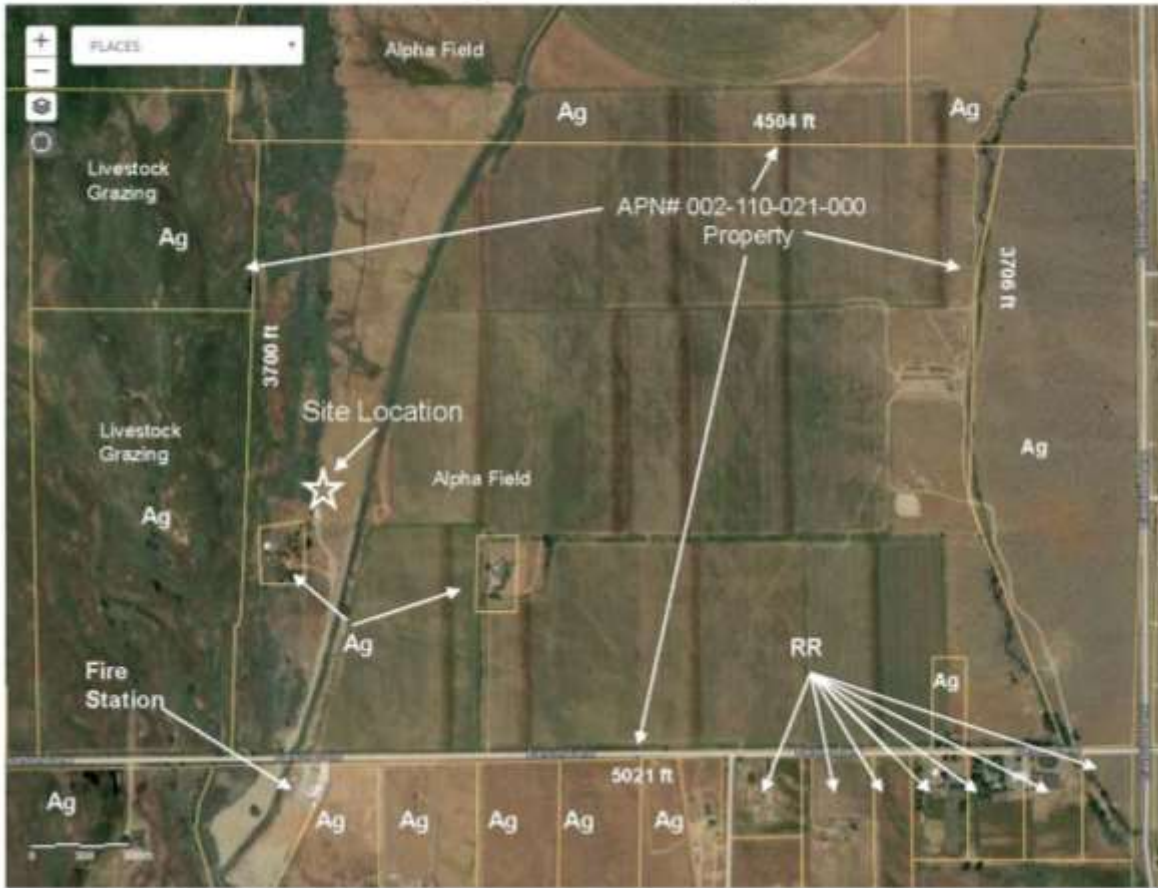
# **Attachment A**

Project Maps

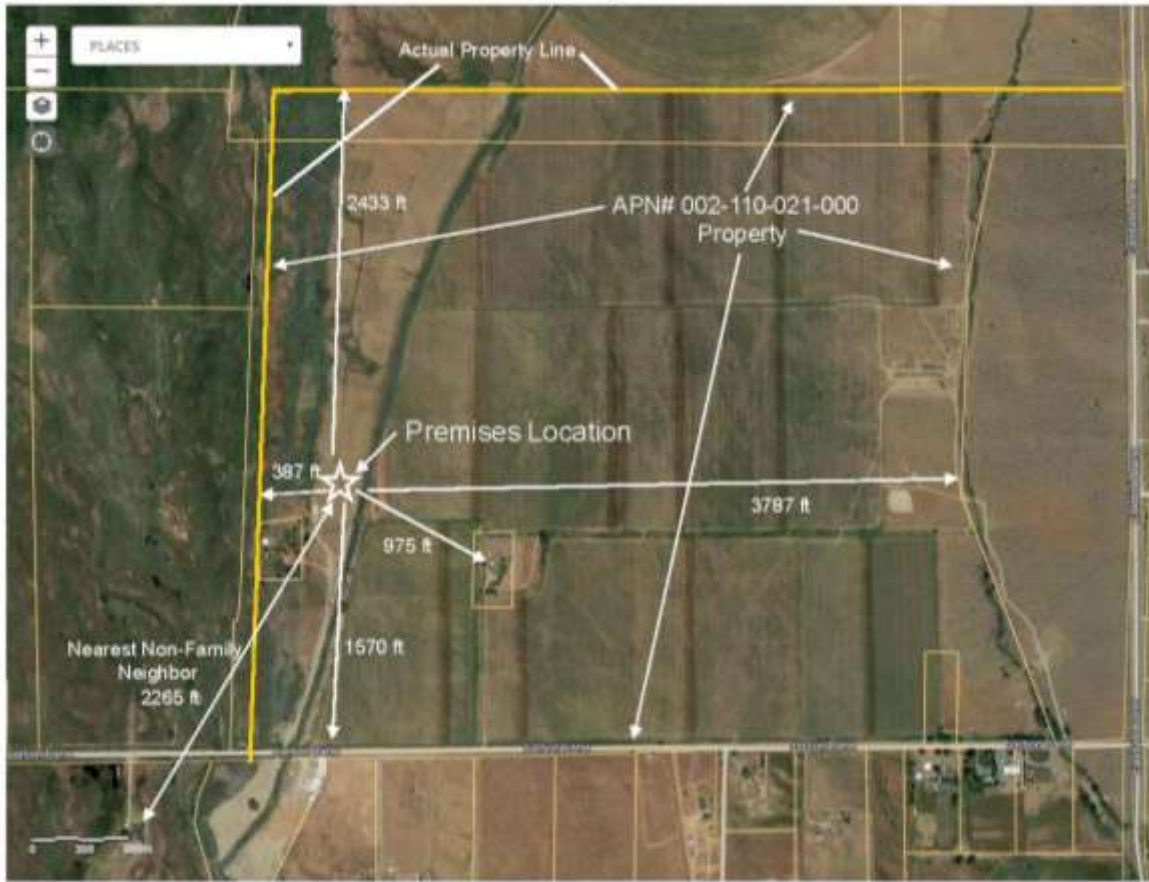
Site Geographic Location



### Surrounding Land Use Designations



### Premises to Property Line Dimensions



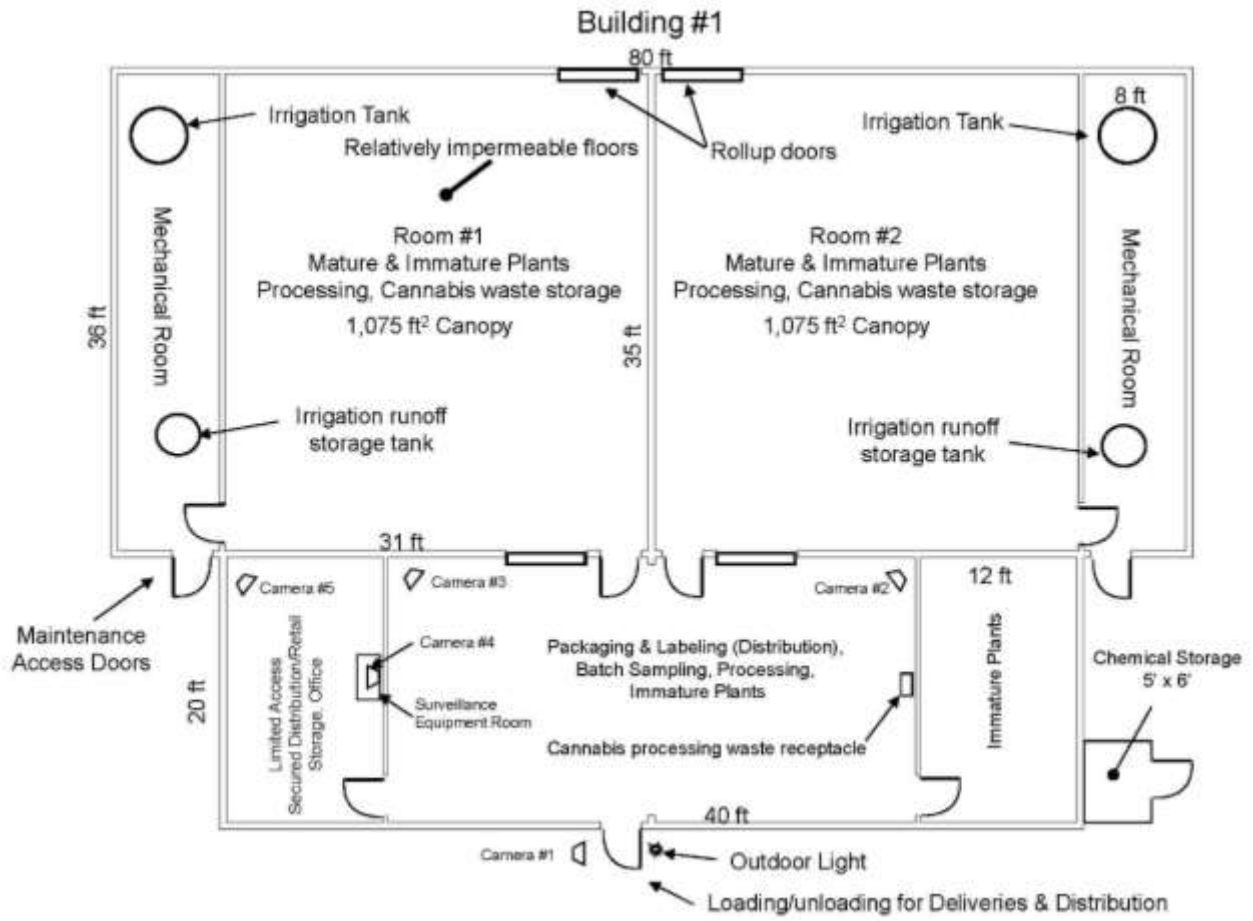


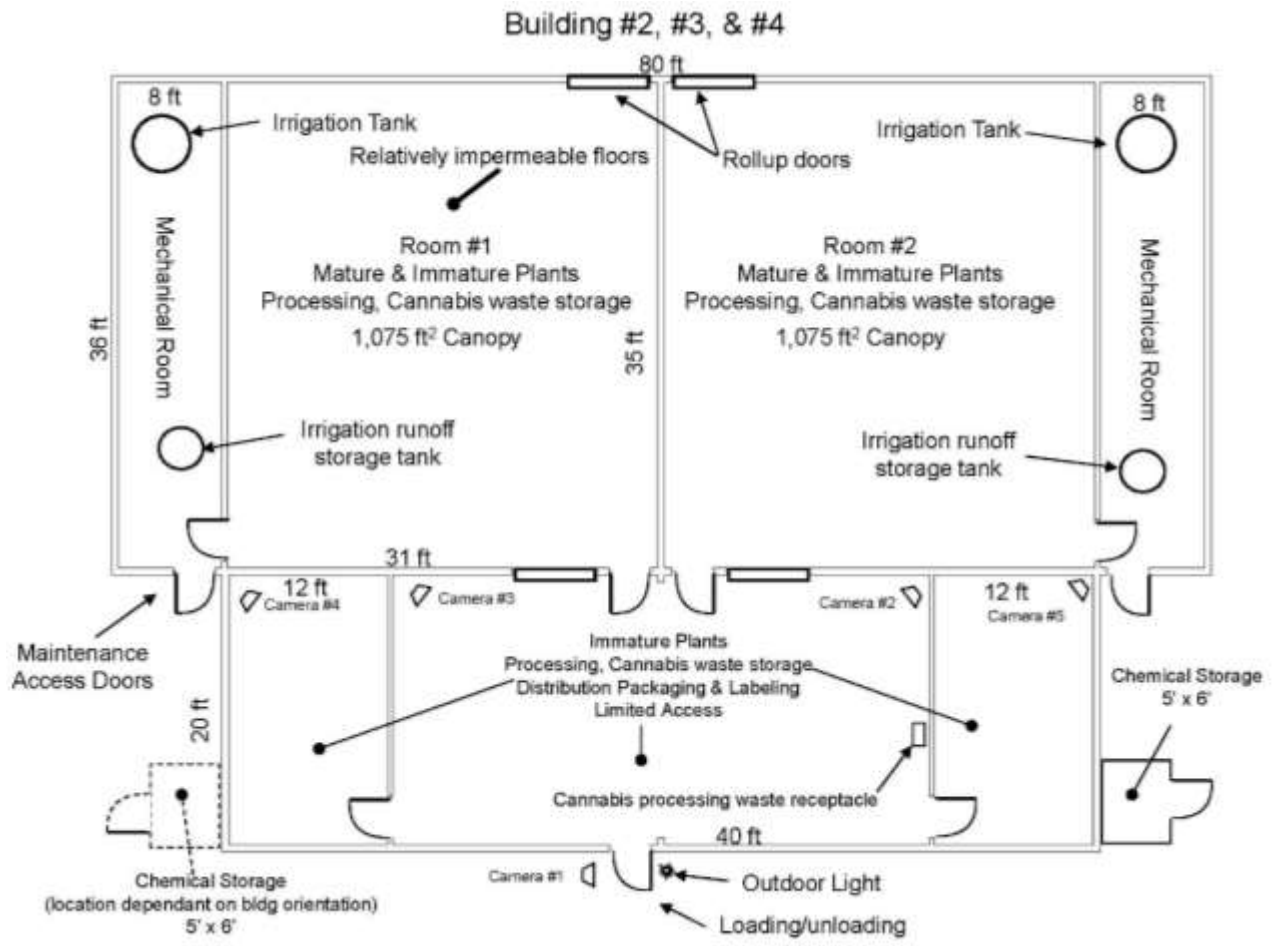




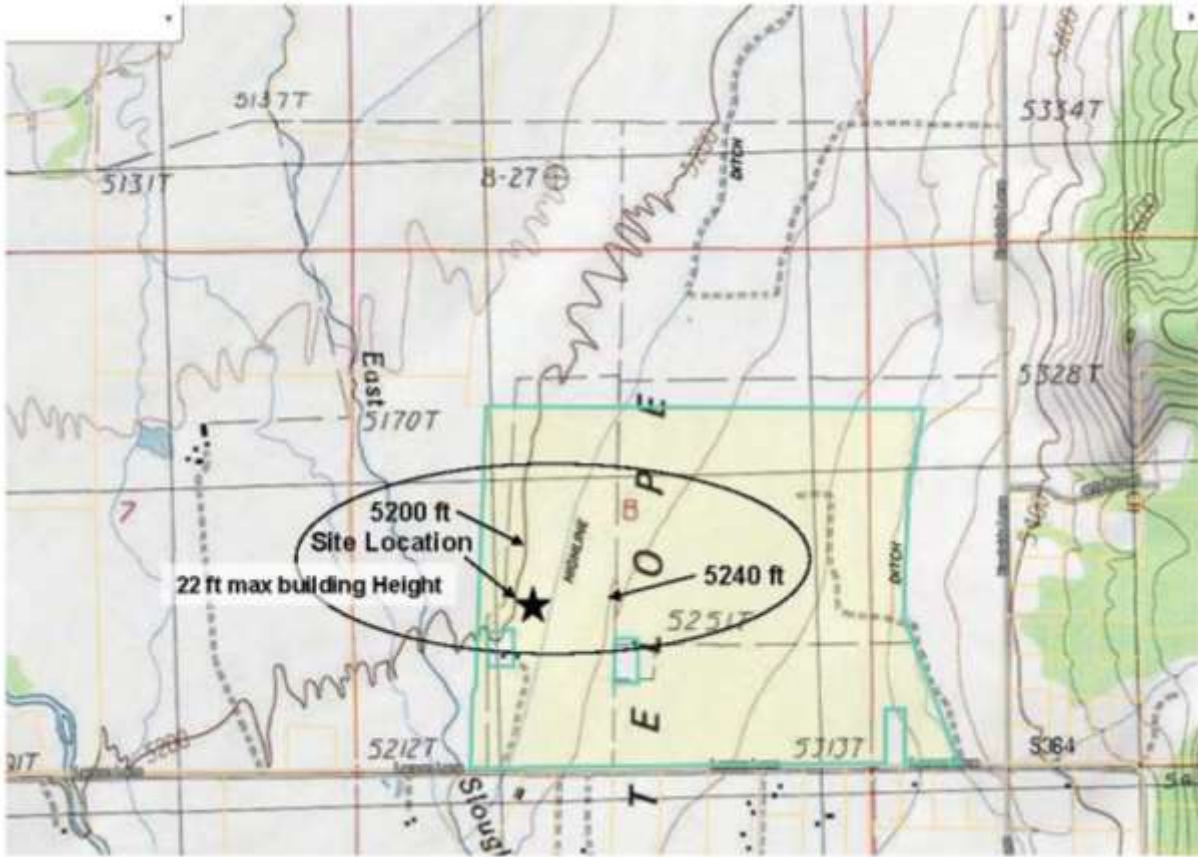




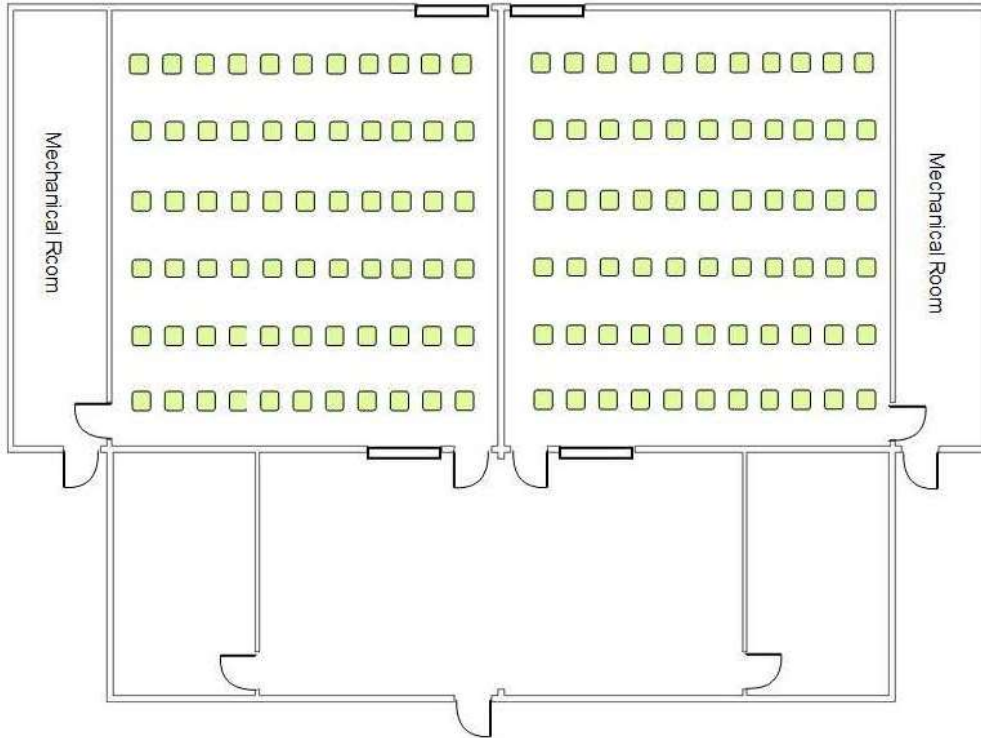




Site Topo Map



### Building #1 - #4



#### Aggregate Wattage per Canopy Area Each Room

66 lights x 1,000 watts per light = 66,000 watts

Each canopy area (indoor) is 1,075 ft<sup>2</sup>

66,000 watts/1,075 square feet = 61 watts/ft<sup>2</sup> ea. room

□ = 1000 maximum watt light



California Geological Survey Alquist-Priolo







### FEMA Flood Map



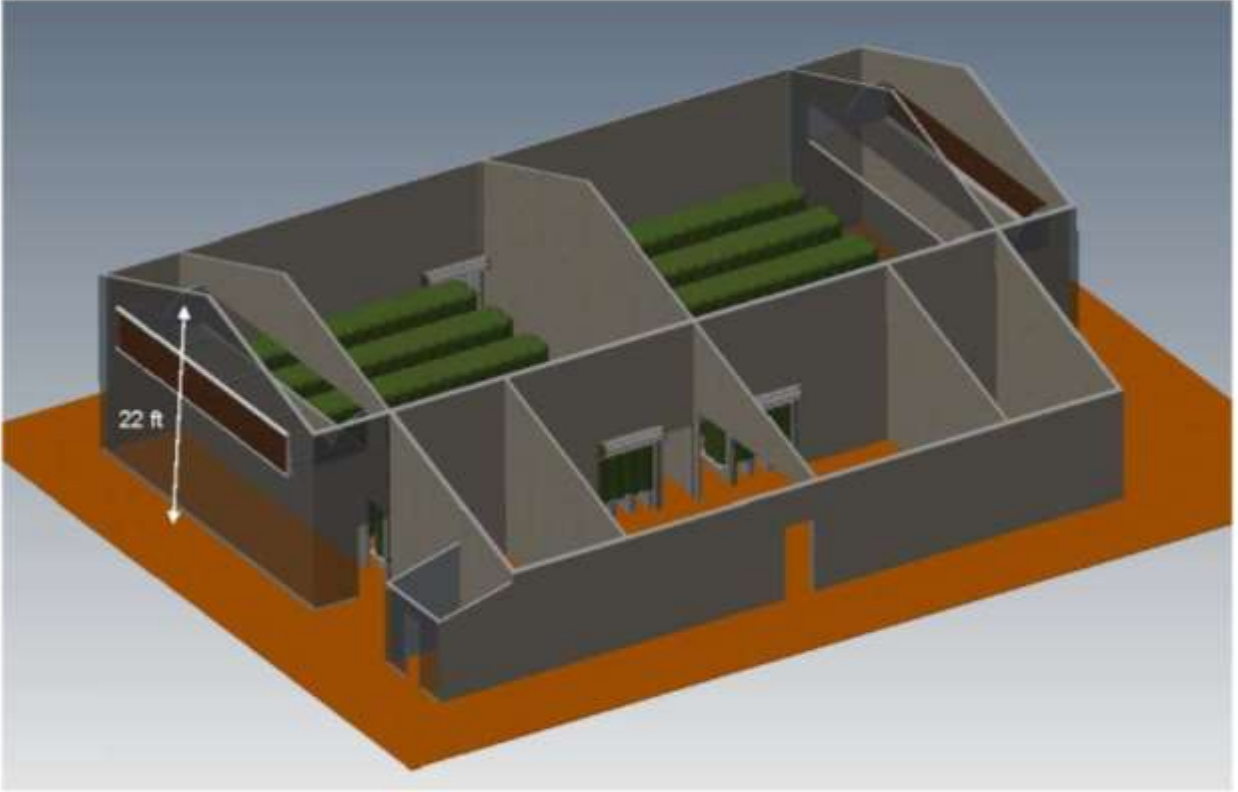


U.S. Fish & Wildlife designated wetlands/Flood planes





Metal Building Isometric View



## **Attachment B**

Integrated Pest Management Plan

## **Integrated Pest Management Program**

### **Introduction:**

The goal of our Integrated Pest Management (IPM) program is to apply a combination of control methods to prevent, reduce, or maintain pest populations at non-damaging levels by utilizing a variety of mechanical, physical, and biological controls. An effective IPM program, implemented and monitored by a facility's Director of Cultivation (or equivalent role), can eliminate potential levels of crop damage, mitigate risk, and control pests. Early identification of pest infections is critical. All staff that work in the cultivation area will be trained and responsible for pest infiltration mitigation, plant inspection, pest identification and treatment.

Cannabis has not been traditionally cultivated in the Antelope Valley of Mono County and thus without a known pest and disease history our IPM program will have to remain flexible and reactive. Things that might have been historical threats in other regions may turn out to be no problems here. Conversely we will likely have new challenges unforeseen. The pest and disease battlefield is a fluid environment and our focus will need be same. Following are industry standard IPM options that will be considered and implemented as needed.

(Since our cultivation is all indoor/mixed light, the herein described IPM program will focus on practices associated with that growing style.)

### **Overview:**

Effective IPM program requires the use of Standard Operating Procedures (SOPs) for a number of processes, environmental controls, cultural practices, mechanical and biological intervention and as a last resort, applications of approved organic/synthetic controls.

Pest control is approached as a progression of steps, with prevention as the first and most important step in controlling pests. The logical progression of methods in accomplishing IPM includes prevention, suppression, and eradication.

Prevention methods utilized include:

- Best horticultural practices such as: spacing, pruning, and sanitation,
- Minimizing pest habitats;
- Pest scouting;
- Trap setting;
- Immediate removal of diseased plants

### **Approach:**

Our IPM program is structured to follow the multi-variable approach outlined below:

1. Prevention, which includes general cleanliness; always using clean, sterile tools; cultivating disease-resistant plants; focusing on the health of plants (proper nutrient levels and avoiding stress); and impeccably controlling climate;

Prevention methods utilized include:

- Best horticultural practices such as: spacing, pruning, and sanitation,
- Minimizing pest habitats;
- Pest scouting;
- Trap setting;
- Immediate removal of diseased plants

2. Biological controls (natural predators and parasites)

3. Removal of infected plants;

4. Organic controls;

5. Synthetic controls should never be used, unless approved by the California Department of Pesticide Regulation.

**Environmental controls:**

From a production standpoint, the ideal cannabis cultivation environment is one with tightly sealed and positively pressurized rooms under strict ventilation control and monitoring. This includes environmental considerations for mitigating both pests, and disease.

Optimized environmental controls will be the first line of defense against disease and pests. Through the use of tight environmental setpoints one can maintain ideal growing conditions while discouraging crop damage in a pesticide free manner.

Facility air handling intake points will be equipped with bird and insect screen pre-filters and MERV 8 filters capable of 90% or greater efficiency down to 3 micron particulates.

Temperature and humidity will be optimized for both plant health and pest/disease minimization. Airflow throughout the entire plant volume will be constant.

Pest monitoring traps will be utilized and as part of the IPM program.

**Biological Control Agent (BCA) Plan:**

We will work holistically to maintain general health of the crop to avoid extra stressors that will make crops more susceptible to insect and mite pests, however we will also heavily rely on the use of biological control agents, (“BCAs”) as the goal of zero pesticide residues is favorable for product quality consumer health.

BCAs provide a desirable solution for insect and mite control due to their ability to effectively kill, and keep at bay, common insect and mite pests on cannabis crops.

Our BCA program will involve proactive strategy in which action is taken prior to insect and mite pest presence or at the first sign of presence. Our use of BCAs will be an active endeavor from the time of first planting. Crops will be scouted, and release rates are adjusted, based on detected insect and mite pests and the observance of any expanding populations.

Record will be kept for both pest and BCA populations throughout the crop. Best control will be achieved by layering several BCAs to provide control against multiple life stages of the insect and mite pests or to simply augment the BCA activity.

**Entry and diseased plant quarantine:**

IPM methodologies include quarantining all new cannabis plants or products entering the facility for 21 days, documenting any pest populations, outbreaks, treatment methods, and treatment results.

Infected plants will be removed.

**Cultural Controls:**

Because of the sensitive nature of the cannabis plants and the regulatory/safety limits on synthetic controls, maintaining a culture of cleanliness is essential to preventing pest intrusions.

This includes:

Good facility maintenance practices will include keeping facility areas clean, dry, orderly, and free of clutter or trash.

Limiting cultivation area ingress/egress options to those legally required.

Limiting cultivation area access to only the staff whose activities are required.

Require staff to wear a company-provided uniform, which includes shoes that must never be worn outside of the cultivation areas and entrances;

Place foot baths with a mild bleach solution outside of every door that enters into a room where cannabis plants are present and require staff to place the soles of their shoes into these rubber mats prior to entering the room and upon exit;

Place adhesive tacky mats outside of every door that enters into a room where cannabis is in process during harvest, drying and curing, extraction, processing, manufacturing, packaging and labeling and storage and require staff to step both feet onto these mats prior to entering the room and upon exit.

**Chemical controls:**

When all other aspects of IPM have not been enough to control pests and diseases, organic/synthetic chemical controls may be necessary. The use of such substances on cannabis is strictly regulated by the California Department of Pesticide Regulation (CDPR). The CDPR maintains an updated list of approved cannabis pesticides/ fungicides/etc. and rules for use on their website.

Current approved list as of 11/22/2018

#### Insecticides and Miticides

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>• Azadirachtin</li> <li>• <i>Bacillus thuringiensis</i> sub. <i>kurstaki</i></li> <li>• <i>Bacillus thuringiensis</i> sub. <i>israelensis</i></li> <li>• <i>Beauveria bassiana</i></li> <li>• <i>Burkholderia</i> spp. strain A396</li> <li>• Capsaicin</li> <li>• Cinnamon and cinnamon oil</li> <li>• Citric acid</li> <li>• Garlic and garlic oil</li> <li>• Geraniol</li> <li>• Horticultural oils (petroleum oil)</li> <li>• Insecticidal soaps (potassium salts of fatty acids)</li> </ul> | <ul style="list-style-type: none"> <li>• Iron phosphate</li> <li>• <i>Isaria fumosorosea</i></li> <li>• Neem oil</li> <li>• Potassium bicarbonate</li> <li>• Potassium sorbate</li> <li>• Rosemary oil</li> <li>• Sesame and sesame oil</li> <li>• Sodium bicarbonate</li> <li>• Soybean oil</li> <li>• Sulfur</li> <li>• Thyme oil</li> </ul> |
|---|--|

#### Fungicides and Antimicrobials

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>• <i>Bacillus amyloliquefaciens</i> strain D747</li> <li>• Cloves and clove oil</li> <li>• Corn oil</li> <li>• Cottonseed oil</li> <li>• <i>Gliocladium virens</i></li> <li>• Neem oil</li> <li>• Peppermint and peppermint oil</li> <li>• Potassium bicarbonate</li> <li>• Potassium silicate</li> </ul> | <ul style="list-style-type: none"> <li>• Rosemary and rosemary oil</li> <li>• Sodium bicarbonate</li> <li>• <i>Reynoutria sachalinensis</i> extract</li> <li>• <i>Trichoderma harzianum</i></li> </ul> |
|--|--|

#### Vertebrate Repellants

- Castor oil
- Geraniol

When allowed by the local and state regulatory bodies, we will consider the use of pesticides as a last resort and only during appropriate plant life-cycles.

**Worker Protection Standards:**

The CDPR and EPA's Agricultural Worker Protection Standards (WPS) aim at reducing the risk of pesticide poisoning and injury among agricultural workers and pesticide handlers. It is a pesticide safety training program mandated for all agricultural workers that have the potential for pesticide exposure. We will maintain a compliant WPS program and ensure all proper training as well as provide all necessary personal protective equipment.

# **Attachment C**

Waste Management Plan



## Cannabis Waste Management Procedures (retail)

**1. Describe how cannabis waste is generated, stored, and managed within the licensed premises.**

Waste Generation: Cannabis waste is not a common product of retail activities but could be generated by:

- A: product returns
- B: product opened for display purposes
- C: out of date product

In these scenarios, cannabis product scheduled for destruction will be stored separate and distinct from other cannabis products until destroyed into organic cannabis waste per 5054

Waste Storage:

After rendering any waste products unusable and unrecognizable per 5054(d), they will be stored in a designated waste receptacle (see premise diagram) inside our secured micro-business facility until self-hauled to our County waste facility about a mile away or composted on-site.

**2. Identify the type of solid waste facility to which cannabis waste is transported to from the premises. (If not applicable state N/A):**

**a. Solid-waste landfill operation or facility?**

Mono County "Walker landfill and transfer station"

**b. Transformation operation or facility?**

N/A

**c. Composting operation or facility?**

N/A

**d. In-vessel digestion operation or facility?**

N/A

**e. Transfer/processing operation or facility?**

N/A

**f. Chip-and-grind operation or facility?**

N/A

**3. Describe the procedures for ensuring that cannabis waste is stored in a secured waste**

**receptacle and describe the measures taken to restrict access to the cannabis waste to the licensee, its employees, and third-party hauler.**

Cannabis waste will remain inside secured micro-business buildings until self-hauled to County landfill. Access to the waste will be limited to the licensee, its employees by the secured nature and location of the facility.

**4. If a third-party waste hauler collects and processes cannabis waste from the proposed premises, identify the type or types of third-party waste hauler(s) used: local agency, waste hauler franchised or contracted by a local agency, or a private waste hauler permitted by a local agency.**

N/A

**5. If a third-party waste hauler is used, describe the process for documenting and confirming the receipt of the cannabis waste at the solid waste facility.**

N/A

**6. If engaging in self-hauling of cannabis waste, describe the procedures followed, including how the delivery of cannabis waste is documented.**

Non-cultivation cannabis waste (returned/failed products, etc.) will be removed or separated from any packaging and rendered "unrecognizable/unusable" per BCC regs 5054(d), before being transported by licensee or employee to the County landfill via company vehicle and receipted.

**7. Identify whether the proposed commercial cannabis activities will result in the generation of hazardous waste such as spent solvents or compressed gas cylinders.**

None.

**8. If hazardous waste is generated, describe how it will be stored and managed within the licensed premises. Attach a copy of the pertinent Hazardous Material Business Plan, if available.**

N/A

**9. If cannabis waste is composted within the licensed premises, describe the composting procedures.**

Maintain the correct ratio of carbon to nitrogen (25:1 to 30:1). Bacteria which carry out the composting process digest carbon twenty five to thirty times faster than they digest nitrogen. This is accomplished by keeping roughly equal amounts of "greens" and "browns". The Carbon to nitrogen ratio can be adjusted by mixing together organic materials with suitable contents. The compost pile will be kept moist at all times. The compost pile will be turned often to allow all parts of the pile to receive oxygen. The optimum pH level of the compost is between 5.5 and 8.

And or tilling directly into agricultural land.

**10. Will your business generate four or more cubic yards of solid waste per week? If yes, describe the procedures for recycling organic waste such as composting on-site, self-hauling, or the use of a third-party hauler.**

No.

## Cannabis Waste Management Procedures (distribution)

**1. Describe how cannabis waste is generated, stored, and managed within the licensed premises.**

Waste Generation: Cannabis waste is not a common product of the distribution chain but could be generated by:

- A: failed lab testing
- B: product returns
- C: out of date (12 months) testing COA

In these scenarios, cannabis product scheduled for destruction will be stored separate and distinct from other cannabis products until destroyed into organic cannabis waste per 5054

Waste Storage:

After rendering any waste products unusable and unrecognizable per 5054(d), they will be stored in a designated waste receptacle (see premise diagram) inside our secured micro-business facility until self-hauled to our County waste facility about a mile away or composted on-site.

**2. Identify the type of solid waste facility to which cannabis waste is transported to from the premises. (If not applicable state N/A):**

**a. Solid-waste landfill operation or facility?**

Mono County "Walker landfill and transfer station"

**b. Transformation operation or facility?**

N/A

**c. Composting operation or facility?**

N/A

**d. In-vessel digestion operation or facility?**

N/A

**e. Transfer/processing operation or facility?**

N/A

**f. Chip-and-grind operation or facility?**

N/A

**d. Reintroduction of cannabis waste back into agricultural operation through on premises organic waste recycling methods, including but not limited to tilling directly**

**into agricultural land and no-till farming.**

On site composting

**3. Describe the procedures for ensuring that cannabis waste is stored in a secured waste receptacle and describe the measures taken to restrict access to the cannabis waste to the licensee, its employees, and third-party hauler.**

Cannabis waste will remain inside secured micro-business buildings until self-hauled to County landfill. Access to the waste will be limited to the licensee, its employees by the secured nature and location of the facility.

**4. If a third-party waste hauler collects and processes cannabis waste from the proposed premises, identify the type or types of third-party waste hauler(s) used: local agency, waste hauler franchised or contracted by a local agency, or a private waste hauler permitted by a local agency.**

N/A

**5. If a third-party waste hauler is used, describe the process for documenting and confirming the receipt of the cannabis waste at the solid waste facility.**

N/A

**6. If engaging in self-hauling of cannabis waste, describe the procedures followed, including how the delivery of cannabis waste is documented.**

Non-cultivation cannabis waste (returned/failed products, etc.) will be removed or separated from any packaging and rendered "unrecognizable/unusable" per BCC regs 5054(d) before being transported by licensee or employee to the County landfill via company vehicle and receipted.

**7. Identify whether the proposed commercial cannabis activities will result in the generation of hazardous waste such as spent solvents or compressed gas cylinders.**

None.

**8. If hazardous waste is generated, describe how it will be stored and managed within the licensed premises. Attach a copy of the pertinent Hazardous Material Business Plan, if available.**

N/A

**9. If cannabis waste is composted within the licensed premises, describe the composting procedures.**

Maintain the correct ratio of carbon to nitrogen (25:1 to 30:1). Bacteria which carry out the composting process digest carbon twenty five to thirty times faster than they digest nitrogen.

This is accomplished by keeping roughly equal amounts of "greens" and "browns". The Carbon

to nitrogen ratio can be adjusted by mixing together organic materials with suitable contents. The compost pile will be kept moist at all times. The compost pile will be turned often to allow all parts of the pile to receive oxygen. The optimum pH level of the compost is between 5.5 and 8. And or tilling directly into agricultural land

**10. Will your business generate four or more cubic yards of solid waste per week? If yes, describe the procedures for recycling organic waste such as composting on-site, self-hauling, or the use of a third-party hauler.**

No.

## Cannabis Waste Management Procedures (cultivation)

### **1. Describe how cannabis waste is generated, stored, and managed within the licensed premises.**

Waste Generation: Cannabis waste will primarily be generated as a byproduct of cultivation and processing. Said waste will consist of organic plant material (leaves, stems, etc.) removed from plants during pruning and processing.

Since it will be some time before we have all four buildings up and running we will initially use on-site composting. As production ramps up we will self hauling to the County manned, fully permitted solid waste landfill facility located approximately 1 mile away when needed.

Waste Storage: There will be two forms of cannabis waste storage on site:

1. During the harvest/processing period where there are large amounts generated, the processing area itself will serve as the storage area until loaded up and self-hauled to the County waste facility or composted on site.
2. Outside of the periods where harvest/processing is taking place, each cultivation building will have receptacle where leaves/prunings/etc. will be placed until filled and self-hauled to the County waste facility or composted on site.

### **2. Identify the type of solid waste facility to which cannabis waste is transported to from the premises. (If not applicable state N/A):**

#### **a. Solid-waste landfill operation or facility?**

Mono County "Walker landfill and transfer station"

#### **b. Transformation operation or facility?**

N/A

#### **c. Composting operation or facility?**

N/A

#### **d. In-vessel digestion operation or facility?**

N/A

#### **e. Transfer/processing operation or facility?**

N/A

#### **f. Chip-and-grind operation or facility?**

N/A

#### **d. Reintroduction of cannabis waste back into agricultural operation through on**



**premises organic waste recycling methods, including but not limited to tilling directly into agricultural land and no-till farming.**

On site composting

**3. Describe the procedures for ensuring that cannabis waste is stored in a secured waste receptacle and describe the measures taken to restrict access to the cannabis waste to the licensee, its employees, and third-party hauler.**

Cannabis waste will remain inside secured cultivation buildings until self-hauled to County landfill or composted on-site. Access to the waste will be limited to the licensee, its employees by the secured nature and location of the facility.

**4. If a third-party waste hauler collects and processes cannabis waste from the proposed premises, identify the type or types of third-party waste hauler(s) used: local agency, waste hauler franchised or contracted by a local agency, or a private waste hauler permitted by a local agency.**

N/A

**5. If a third-party waste hauler is used, describe the process for documenting and confirming the receipt of the cannabis waste at the solid waste facility.**

N/A

**6. If engaging in self-hauling of cannabis waste, describe the procedures followed, including how the delivery of cannabis waste is documented.**

We are only a mile or so of country road from our County landfill. Waste will be entered into the Track & Trace system in the prescribed manner.

Cultivation waste will be transported by licensee or employee to the County landfill via company vehicle and receipted according to CDFA regs 8303(h,i)

**7. Identify whether the proposed commercial cannabis activities will result in the generation of hazardous waste such as spent solvents or compressed gas cylinders.**

None.

**8. If hazardous waste is generated, describe how it will be stored and managed within the licensed premises. Attach a copy of the pertinent Hazardous Material Business Plan, if available.**

N/A

**9. If cannabis waste is composted within the licensed premises, describe the composting procedures.**

Maintain the correct ratio of carbon to nitrogen (25:1 to 30:1). Bacteria which carry out the composting process digest carbon twenty five to thirty times faster than they digest nitrogen. This is accomplished by keeping roughly equal amounts of "greens" and "browns". The Carbon to nitrogen ratio can be adjusted by mixing together organic materials with suitable contents. The compost pile will be kept moist at all times. The compost pile will be turned often to allow all parts of the pile to receive oxygen. The optimum pH level of the compost is between 5.5 and 8. And or tilling directly into agricultural land.

**10. Will your business generate four or more cubic yards of solid waste per week? If yes, describe the procedures for recycling organic waste such as composting on-site, self-hauling, or the use of a third-party hauler.**

No.

## **Attachment D**

Lahontan Regional Water Quality Control Board Letter




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**Lahontan Regional Water Quality Control Board**

January 4, 2019

WDID No. 6T26CC406683

Kevin Dortch  
1129 East Larson Lane  
Coleville, CA 96107

**Notice of Applicability – Conditional Waiver of Waste Discharge Requirements, Water Quality Order No. WQ-2017-0023-DWQ, Walker River Farms, Mono County — APN 002-110-021-000**

**Expiration Date: December 17, 2022**

Dear Kevin Dortch,

You, Kevin Dortch, (hereafter Discharger) submitted information via the State Water Resources Control Board's (State Water Board's) online portal on November 29, 2018, for discharges of waste associated with indoor cannabis cultivation related activities at 1129 East Larson Lane, Coleville (38.545956°N, 119.477799°W). The property is owned by Lloyd Chichester, who is receiving separate notification of this application. The State Water Board received the associated application fee on December 10, 2018, and subsequently transferred site information to us for processing.

Based on the information provided, the Discharger self-certifies the cannabis cultivation activities are consistent with the requirements of the State Water Board *Cannabis Cultivation Policy-Principles and Guidelines for Cannabis Cultivation* (Policy), and the *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities*, Order No. WQ-2017-0023-DWQ (General Order).

This letter provides notice that the Policy and General Order are applicable to the site as described below. You are hereby assigned waste discharge identification (WDID) No. 6T26CC406683. The Discharger is responsible for all the applicable requirements in the Policy, General Order, and this Notice of Applicability (NOA).

**FACILITY AND DISCHARGE DESCRIPTION**

The information submitted by the Discharger states that the cannabis cultivation activities occur within a structure with a permanent roof, a permanent relatively impermeable floor (e.g., concrete or asphalt paved), and all hydroponic/industrial

PETER C. PUMPHREY, CHAIR | PATTY Z. KOLYOUNJIAN, EXECUTIVE OFFICER

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2501 Lake Tahoe Blvd., So. Lake Tahoe, CA 96150 | 15095 Amargosa Road, Bldg 2, Ste 210, Victorville CA 92394  
e-mail [Lahontan@waterboards.ca.gov](mailto:Lahontan@waterboards.ca.gov) | website [www.waterboards.ca.gov/lahontan](http://www.waterboards.ca.gov/lahontan)



wastewaters generated are contained within a sealed tank or recirculated system with final waste products hauled off site. Based on the information submitted, the cultivation activity is consistent with the Waiver of Waste Discharge Requirements (Conditional Waiver). Cannabis cultivation activities at 1129 East Larson Lane are, therefore, conditionally exempt and covered under the Conditional Waiver as indoor cultivation.

**Coverage under this Conditional Waiver expires on December 17, 2022**, and the Discharger will be required to re-apply for coverage at that time to continue any cannabis cultivation activities.

#### **SITE-SPECIFIC REQUIREMENTS**

1. The Policy and General Order are available on the Internet at: [https://www.waterboards.ca.gov/water\\_issues/programs/cannabis](https://www.waterboards.ca.gov/water_issues/programs/cannabis). The Discharger shall ensure that all site operating personnel know, understand, and comply with the requirements contained in the Policy, General Order, and this NOA. Note that the General Order contains standard provisions, general requirements, and prohibitions that apply to all cannabis cultivation activities.
2. In accordance with the Policy and General Order requirements, the Discharger must retain manifest records provided by the authorized waste hauler and provide copies of manifest records to Water Boards staff upon request.
3. The Discharger shall notify Water Boards staff in writing of any proposed change in the method of wastewater disposal.
4. The Discharger shall permit representatives of the Regional Water Board and/or the State Water Board, upon presentation of credentials, to:
  - i. Enter premises where cannabis is cultivated or processed, wastes are treated, stored, or disposed of, and facilities in which any records are kept.
  - ii. Copy any records required under terms and conditions of the General Order.
  - iii. Inspect at reasonable hours, monitoring equipment required by this General Order (as applicable).
  - iv. Sample, photograph, and/or video record any cultivation activity, discharge, waste material, waste treatment system, or monitoring device.
5. Land disturbance of one acre or more not directly related to cultivation (i.e., infrastructure-related) may require coverage under the General Board Order No. 2009-0009-DWQ. Example activities include, but are not limited to, road construction, stream diversion, and building installation. See: [https://www.waterboards.ca.gov/lahontan/water\\_issues/programs/storm\\_water](https://www.waterboards.ca.gov/lahontan/water_issues/programs/storm_water) for details.



### TECHNICAL REPORT REQUIREMENTS

A *Site Closure Report* must be submitted 90 days prior to permanently ending cannabis cultivation activities and seeking to rescind coverage under the Conditional Waiver. The *Site Closure Report* must be consistent with the requirements of General Order Provision C.1.e., and Attachment A, Section 5. Attachment D of the General Order provides guidance on the contents of the *Site Closure Report*.

### TERMINATION OF COVERAGE UNDER THE GENERAL ORDER & REGIONAL WATER BOARD CONTACT INFORMATION

Cannabis Dischargers that propose to terminate coverage under the Conditional Waiver or General Order must submit a Notice of Termination (NOT). The NOT must include a *Site Closure Report* (see Technical Report Requirements above), and Dischargers enrolled under the General Order must also submit a final monitoring report. The Regional Water Board reserves the right to inspect the site before approving a NOT. Attachment C of the General Order includes the NOT form, and Attachment D of the General Order provides guidance on the contents of the *Site Closure Report*.

Please notify us 30 days prior to commencing cultivation. Please direct all submittals, discharge notifications, and questions regarding compliance and enforcement to our office. We can be emailed at [lahontan.cannabis@waterboards.ca.gov](mailto:lahontan.cannabis@waterboards.ca.gov). Phone calls may be directed to me at (530) 542-5414 ([patty.kouyoumdjian@waterboards.ca.gov](mailto:patty.kouyoumdjian@waterboards.ca.gov)) or Timothy Middlemis-Clark, Water Resource Control Engineer, at (530) 542-5463 ([timothy.middlemis-clark@waterboards.ca.gov](mailto:timothy.middlemis-clark@waterboards.ca.gov)).



PATTY Z. KOUYOUMDJIAN  
EXECUTIVE OFFICER

cc: Louis Molina, Director, Mono County Department of Environmental Health  
Michael Draper, Planning Analyst, Mono County Community Development  
Claire Ingel, Environmental Scientist, CA Department of Fish and Wildlife  
Kevin Porzio, SWRCE, Department of Water Quality, State Water Board  
Timothy Middlemis-Clark, Lahontan Water Board

TMC/odwT: Cannabis/Dortch Kevin\_Cultivator\_Landowner  
File Under: CIWQS / WDID 6T26CC406683

# **Attachment E**

Energy Consumption Comparison



Following is a table outlining an energy consumption comparison between a controlled environment cannabis cultivation facility and a vertical greens farm.

We understand that for comparison integrity the consultant will need to do their own research regarding the typical energy usage of such a facility, but since these vertical farms are relatively new (and the involved companies are commonly considering their energy usage proprietary and thus not published), we've included the baseline assumptions we used in our comparison along with footnotes with our documenting sources.

Some key points:

- The baseline energy requirements for the vertical farm side are driven by the required lighting levels for lettuce, greens, peppers, etc. Once you have documented these levels and the electrical draw of the light fixture required to produce such, it's a simple matter of multiplying by the footprint and included levels of cultivation area.
- As will be clear to someone researching vertical farms, the number of cultivation layers implemented is limited mostly by building design. While Agriculture zoning allows buildings up to 40ft in height and would thus enable stacking of 15-20 layers (regularly done in vertical farms), for ease of comparison we have chosen instead to take a very moderate approach, use the same building as proposed for the cannabis facility and compare only a 5 level approach. (our 22ft high building would support at least 7 levels)
- Since as we understand it, the issue is a comparative one, there is no reference to the previously discussed savings accrued through the reduction in cooling, dehumidification and venting loads due to the high desert environment. These savings are available equally to both facilities and are only savings relative to facilities in other areas of the state.
- Because it's a comparative issue, we used straight up power draw, etc.. We did not complicate the comparison by including different methods of power generation (CHP, Trigen, etc.) as these would apply equally to both sides of the comparison – any efficiency gains available to the cannabis side through these technologies would also be available to the vertical greenhouse side.
- Similarly to the above, we left out any CO2 sequestration (feeding CO2 to the plants as fertilizer) as this would also apply equally to both facilities.

There is an intentional disparity between the type of lighting selected for the cannabis facility (HID) and the vertical farm (LED). LED lighting has been field proven to be ideal for non-flowing growth. There is far less consensus (and even less data) showing compatibility with flowering growth. Less flower yield and longer maturation times have been documented under LED in many strains of cannabis which defeats any initial energy savings. Progress is being made in LED lighting design and at some point (soon we hope) LEDs will become a demonstrably viable source for flower lighting. When that happens, any comparison like the one done here would look even better on the cannabis side.

| <b>Electricity</b>                      |              |       |              |       |
|---|--------------|-------|--------------|-------|
| <b>Lighting</b>                         | Cannabis     | Notes | Vert farm    | Notes |
| Cultivation room size (sf)              | 1,085        |       | 1,085        |       |
| Number of cultivation rooms             | 8            |       | 8            |       |
| <b>Total Cultivation SF</b>             | <b>8,680</b> |       | <b>8,680</b> |       |
| Lighting type                           | HID          | [1]   | LED          |       |
| DLI (mol / M <sup>2</sup> / day)        | 37           | [2]   | 22           | [3]   |
| ~Watts / cultivation SF                 | 50           | [4]   | 44           | [5]   |
| Cultivation room draw (kw)              | 54           |       | 48           | [6]   |
| Total cultivation lighting (kw)         | 432          |       | 384          |       |
| Hr / day lit                            | 13           | [7]   | 18           | [8]   |
| Lighting kwh / day                      | 5,616        |       | 6,912        |       |
| Days lit / year                         | 316          | [9]   | 341          | [10]  |
| <b>Yearly lighting electrical (mwh)</b> | <b>1,775</b> |       | <b>2,357</b> |       |
| <b>Ventilation</b>                      |              |       |              |       |
| Ventilation kwh / 'day'                 | 618          |       | 760          | [11]  |
| Ventilation kwh / 'night'               | 124          |       | 93           | [12]  |
| <b>Yearly ventilation kwh</b>           | <b>271</b>   |       | <b>311</b>   |       |
| Yearly misc. mwh                        | 142          |       | 142          | [13]  |
| <b>Yearly mwh total</b>                 | <b>2,187</b> |       | <b>2,810</b> |       |
| <b>Fuel</b>                             |              |       |              |       |
| <b>Yearly supplemental heat (gLPG)</b>  | <b>8,815</b> |       | <b>8,815</b> | [14]  |

## Footnotes:

- 1: Mix of 1,000 watt HPS (high pressure sodium) and MH (metal halide)
  - 2: Level derived from personal experience (and it's also nearly an industry standard). Equates to ~850  $\mu\text{mol}/\text{m}^2/\text{s}$  PAR. (For reference, direct noon sun is ~2,000  $\mu\text{mol}/\text{m}^2/\text{s}$ )
  - 3: ~22 DLI PAR ( $\text{mol}/\text{m}^2/\text{day}$ ) is the recommended lighting level for geens, etc.
- Cornell University, 'Hydroponic Lettuce Handbook' p.10  
<http://cea.cals.cornell.edu/attachments/Cornell%20CEA%20Lettuce%20Handbook%20.pdf>
- 4: To achieve the levels in 'Note 2' requires one 1,000 watt light for ~every 20sf of canopy
  - 5: The Cornell recommended level of 22  $\text{mol}/\text{sqm}/\text{day}$  = ~340  $\mu\text{mole}/\text{m}^2/\text{sec}$  (18 hour day)  
 Appropriate light selected is the Fluence RAZR4 (or equivalent) and installed on each of 5 levels  
<https://2xuwaoc2gok1v2wn2em9n5vs8-wpengine.netdna-ssl.com/wp-content/uploads/2018/06/180612-RAZR234.pdf>
  - 6: Each RAZR4 covers 40sf. Eighty - 600w RAZR4 fixtures are required to cover cultivation racks in each room.
  - 7: This is an average of 14 days at 18hrs per day (vegetative cycle) and 70 days at 12hrs per day (flowering cycle). This will be repeated ~4 times per year.
  - 8: Greens, etc. are not raised for their flowers so ideal cultivation photoperiod is longer than the average for cannabis and equal to the cannabis vegetative cycle.
  - 9: The cannabis cultivation room doubles as a drying room and thus is literally dark for drying the crop 4 times per year, ~12 days at a time.
  - 10: Vertical cultivation racks can be 100% utilized other than for maintenance. We have subtracted 14 days per year for such.
  - 11: Since lights are a primary source of over-heat, the 'daytime' (lights on) ventilation requirements for the vertical farm are greater in proportion to the higher lighting draw and hours utilized.
  - 12: The 'nights' (lights off) ventilation usage is less in the vertical farm due to the fact that these 'nights' are shorter (see note #8)
  - 13: Includes pump, controls, wall plug usage and non-cultivation facility lighting.
  - 14: While this number is winter severity dependent, given the identical building and similar activities, there is no reason to expect the heat demands to be significantly different from each other.

# **Attachment F**

Cultural Resource Information

A Class I Archival Review for the Proposed Walker River Farms, LLC  
Project, Walker, California

Prepared by  
Michael Drews  
Great Basin Consulting Group, LLC

Prepared For  
Resource Concepts  
340 N. Minnesota Street  
Carson City, Nevada 89703

May 3, 2019



### **Introduction**

Resource Concepts, contacted with Great Basin Consulting Group, LLC (GBCG) to provide a Class I archival review to identify known cultural resources in the vicinity of the Walker River Farms, LLC project in Walker, California in compliance with the California Environmental Quality Act (CEQA). The proposed project is located at 1129 Larson Lane is located in Antelope Valley just east of East Slough.

On April 30, 2019, GBCG submitted a data request to the Eastern Information Center, California State University, Sacramento under Permit #281. The record search extent covered a ½ mile radius surrounding the ¼ acre well parcel. The data request included:

- Mapped archaeological resource locations;
- Mapped report locations;
- Resource database printout;
- Report database printout;
- Copies of archaeological resource records;
- OHP historic properties directory;
- OHP determinations of eligibility;
- California Inventory of Historical Resources;
- Historic Maps;
- GLO and/or Rancho Plat maps.

### **Record Search Results**

On May 3, 2019 EIC sent results of the record search via the postal service (ST-MNO-5179). Three cultural resource studies have been conducted within a one-half mile radius of the project area (Table 1). None within the project Area. Four cultural resource overviews have been compiled for the vicinity. Seven previous cultural resource inventories have been conducted within a ½ mile radius of the project parcel.

Seven cultural resources have been recorded within the one-half mile record search boundary, none within the project area (Table 2). Most of the resources are located on the alluvial fan well east of the project area. No properties are listed on the National Register of Historic Places, Office of Historic

Preservation Historic Property Directory, or the OHP Archaeological Determinations of Eligibility, or OHP Historic Properties Directory occur in the project area. There are no historic maps on file at the EIC for this area.

The project area is situated on cultivated lands west of Highline Ditch (Figure 1). It is unlikely that intact cultural resources lie on the parcel. Highline Ditch may be a historic resource. Changes or alterations to the existing ditch should be avoided.

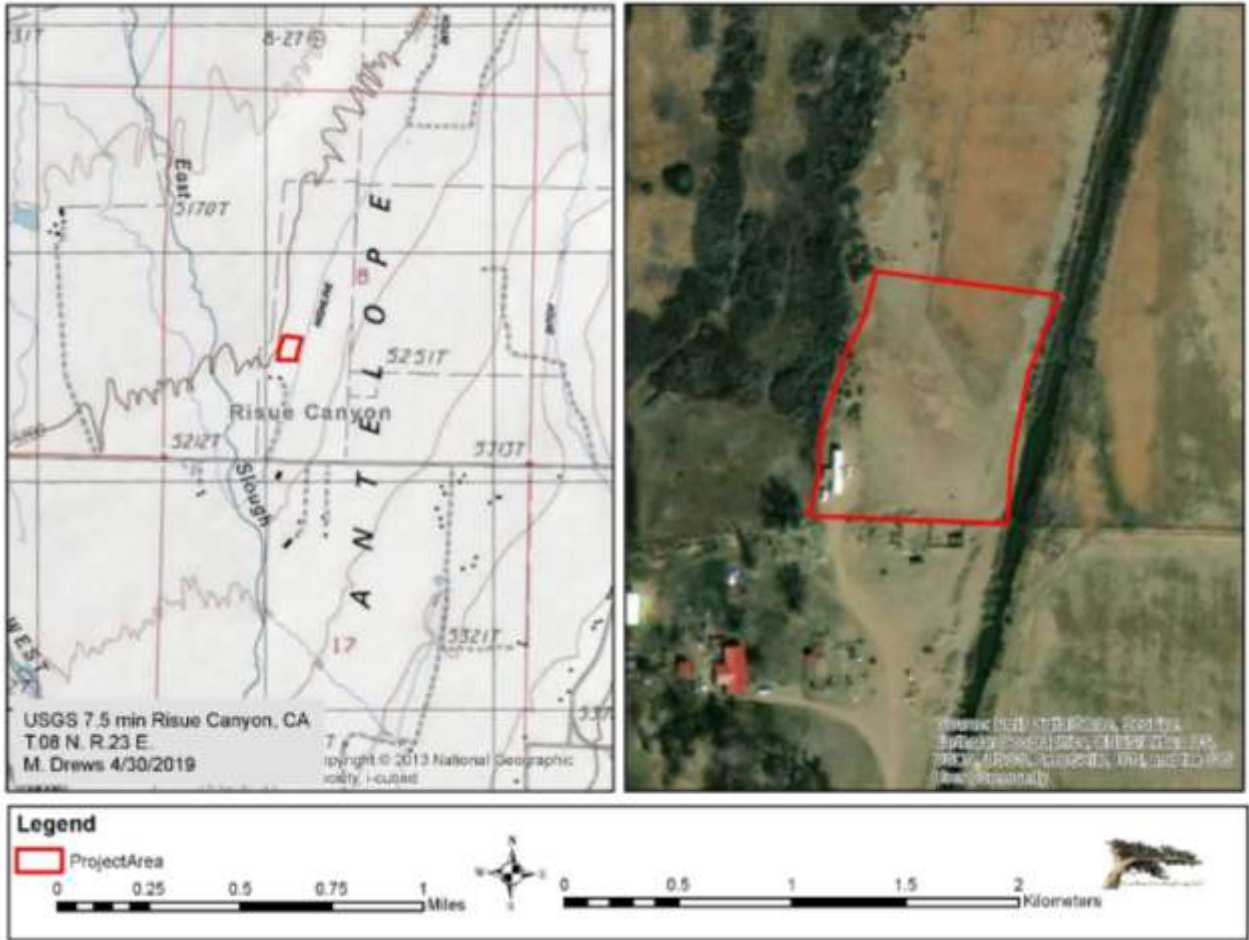


**Table 1. Archaeological Inventories within one-half mile of Walker River Farms, LLC project area**

| Report Number | Other IDs  | Xrefs   | Authors  | Year | Title  | Publisher  | Resources   | Resource Count |
|---------------|--|---|--|------|--|--|---|----------------|
| MN-00031      | NADB-R - 1080621; Voided - MF-0507                     | Extends into another county as IN-00070               | BUSBY, COLIN, J.M. FINDLAY, and J.C. BARD  | 1979 | A CULTURE RESOURCE OVERVIEW OF THE BUREAU OF LAND MANAGEMENT COLEVILLE, BODIE, BENTON, AND OWENS VALLEY PLANNING UNITS, CALIFORNIA PLUS AN ANNOTATED ANTHROPOLOGICAL AND HISTORIC BIBLIOGRAPHY | GREAT BASIN ASSOCIATES                                       |   | 0              |
| MN-00167      | NADB-R - 1083854; Voided - MF-3495                     | Extends into another county as IN-00354; Extends into | BARKER, LEO R. and ANN E. HUSTON, EDITORS  | 1990 | DEATH VALLEY TO DEADWOOD; KENNECOTT TO CRIPPLE CREEK. PROCEEDINGS OF THE HISTORIC MINING CONFERENCE, JANUARY 23-27, 1989, DEATH VALLEY NATIONAL MONUMENT                                       | Division of National Register Programs National Park Service |   | 0              |
| MN-00566      | NADB-R - 1084158; Voided - MF-3745                     | Extends into another county as IN-00276               | HANEY, JEFFERSON W.  | 1992 | WRITTEN IN BEDROCK: PREHISTORIC ACORN USE IN THE EASTERN SIERRA NEVADA   |  |   | 0              |
| MN-00735      | BLM - CA-017-97-21; NADB-R - 1085292; Voided - MF-4580 |   | HALFORD, KIRK  | 1997 | CULTURAL RESOURCES INVENTORY REPORT: WALKER LANDFILL (CAS 4427)  | BUREAU OF LAND MANAGEMENT                                    |   | 0              |
| MN-00833      | BLM - CA-170-05-14                                     |   | Whiteman, Erik, Robert Jackson, Jennifer Burns, Doug Edwards, Michael Taggart, and Steven Hilton | 2005 | Cultural Resources Inventory: Antelope Valley Fuels Reduction Project Mono County, California  | Pacific Legacy, Inc.   | 26-000372, 26-004368, 26-004369, 26-004370, 26-004371, 26-004372, 26-004373, 26-004374, 26-004375, 26-004376, 26-004377, 26-004378, 26-004379 | 13             |
| MN-00899      | Other - Contract No. 53-0261-1-08, Task Order 12       |   | Drews, Michael and Ingbar, Eric  | 2004 | In-The-Black Archaeological Studies Volume I: GIS Data and Prehistoric Probability Models  | Gnomon, Inc.   |   | 0              |
| MN-01002      | Other - 1043856  |   | Katherine Flynn  | 1981 | Archaeological Reconnaissance for the Mountain Warfare Training Center Family Housing Project, Coleville/Walker Area, Antelope Valley, Mono County, California                                 | Archaeological Resource Service, Novato, CA.                 | 26-000373, 26-000374  | 2              |

**Table 2. Archaeological Resources within one-half mile of Walker River Farms, LLC project area**

| Primary Number | Trinomial     | Other ID                                     | Type  | Age                      | Attribute     | Recording Events   | Reports  |
|----------------|---------------|--|-------|--------------------------|---------------|--|----------|
| P-26-003398    |               | Other - CA-117-97-21-I1 thru CA-017-97-21-I3 | Other | Prehistoric              | AP02          | 1997 (Ethan Hull, Kirk Halford)                                |          |
| P-26-003399    |               | Other - CA-017-97-21-I1 thru CA-017-97-21-I3 | Other | Prehistoric              | AP02          | 1997 (Ethan Hull, Kirk Halford)                                |          |
| P-26-003400    |               | Other - CA-017-97-21-I1 thru CA-017-97-21-I3 | Other | Prehistoric              | AP02          | 1997 (Ethan Hull, Kirk Halford)                                |          |
| P-26-004371    | CA-MNO-003846 | Other - PL-AV-05                             | Site  | Prehistoric              | AP02;<br>AP15 | 2005 (E. Whiteman, W. Allen, D. Tinsley, Pacific Legacy, Inc.) | MN-00833 |
| P-26-004372    | CA-MNO-003847 | Other - PL-AV-06                             | Site  | Prehistoric              | AP02          | 2006 (E. Whiteman, W. Allen, D. Tinsley, Pacific Legacy, Inc.) | MN-00833 |
| P-26-004373    | CA-MNO-003848 | Other - PL-AV-07                             | Site  | Prehistoric,<br>Historic | AH04;<br>AP02 | 2005 (E. Whiteman, W. Allen, D. Tinsley, Pacific Legacy, Inc.) | MN-00833 |
| P-26-004374    | CA-MNO-003849 | Other - PL-AV-08                             | Site  | Historic                 | AH04          | 2005 (E. Whiteman, W. Allen, D. Tinsley, Pacific Legacy, Inc.) | MN-00833 |



**ATTACHMENT D: PUBLIC HEARING NOTICE**

MONO COUNTY  
PLANNING COMMISSION

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

PO Box 8  
Bridgeport, CA 93517  
760.932.5420, fax 932.5431  
[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

Date: April 30, 2019  
To: The Sheet  
From: CD Ritter  
Re: Legal Notice for the **May 4** issue.  
Invoice: Cara Isaac, PO Box 347, Mammoth Lakes, CA 93546

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that Mono County Planning Commission will conduct a public hearing **May 16, 2019**, at Board of Supervisors Chambers, Mono County Courthouse, Bridgeport, CA, to consider the following: **10:10 a.m. CONDITIONAL USE PERMIT 19-002/Walker River Farms:** Proposal for a cannabis microbusiness on an Agriculture (AG-10) parcel located at 1129 Larson Lane, Coleville (APN 002-110-021). The cannabis canopy will be roughly 8,600 square feet. The entire operation consists of four buildings (20x64 feet each). Microbusiness activities include cultivation, distribution, and non-storefront retail. A CEQA 15183 exemption is proposed. **10:30 a.m. CONDITIONAL USE PERMIT 19-006/Tioga Green & REVOCATION OF CONDITIONAL USE PERMIT 34-06-05/Hebert:** Conversion of an existing vacant 690-square foot commercial building into cannabis retail and revocation of the existing use permit for a drive-through restaurant. The proposal is located at 51005 Highway 395 (APN 021-080-022) south of Lee Vining commercial core and gains access from Utility Road. Modifications to the property include interior remodel of existing structure, addition of storage shed, new signage, and paving and lighting for parking area. A Class 3 CEQA exemption is proposed. Land use designation is commercial (C). **10:50 a.m. VARIANCE & USE PERMIT/3D Housing Development:** Conditional Use Permit 18-017 proposes a five-unit housing project on the corner of Howard Avenue and Bruce Street in the community of June Lake. Each unit is approximately 800 square feet. Variance 18-001 is a request for a zero setback from the top of a bank/water course for two units and a portion of the parking area. The watercourse runs along the eastern portion of the project site. The parcel is 0.43 acres in size (APN 015-103-022) and has a land use designation of Multi-Family Residential High (MFR-H). A CEQA exemption 15183 is proposed. Project files are available for public review at the Community Development Department offices in Bridgeport and Mammoth Lakes. INTERESTED PERSONS may appear before the Planning Commission to present testimony or, prior to or at the hearing, file written correspondence with: Secretary to the Planning Commission, PO Box 347, Mammoth Lakes, CA 93546. If you challenge the proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to Secretary to the Planning Commission at, or prior to, the public hearing.

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**Mono County**  
**Community Development Department**

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PO Box 347  
Mammoth Lakes, CA 93546  
760-924-1800, fax 924-1801  
commdev@mono.ca.gov

**Planning Division**

PO Box 8  
Bridgeport, CA 93517  
760-932-5420, fax 932-5431  
[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

May 16, 2019

To: Mono County Planning Commission

From: Bentley Regehr, Planning Analyst

Re: Use Permit 19-006 / Tioga Green Cannabis Retail

### **Recommendation**

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

1. Revoke Use Permit 34-06-05 for a drive-through restaurant;
2. Find that the project qualifies as a Categorical Exemption under CEQA guideline 15303 and instruct staff to file a Notice of Exemption;
3. Make the required findings in the project staff report; and
4. Approve Use Permit 19-006 subject to Conditions of Approval.

### **Project Overview**

The project proposes to convert an existing vacant 690-square foot building into a commercial cannabis retail use. The proposal is located at 51005 Highway 395 south of the Lee Vining commercial core and gains access from Utility Road. Modifications to the property include interior remodeling of the existing structure, the addition of a storage shed, new signage, and paving and lighting for the parking area.

All applications for commercial cannabis activity must be approved through a Conditional Use Permit (CUP) process. A CUP for retail cannabis must demonstrate adequate plans for site control, setbacks, odor control, signage, visual screening, lighting, parking, and noise.

The parcel was previously approved for a drive-through restaurant via Use Permit 34-06-05. All conditions and approvals related to Use Permit 34-06-05 are to be revoked with the approval of Use Permit 19-006.

The project qualifies for a Class 3 CEQA exemption (CEQA Guidelines, 15303), as it involves the conversion of a small structure without expansion of the building footprint.

### **Project Setting**

The project is located at 51005 Highway 395 (APN 021-080-022) in Lee Vining. The majority of parcels along the Highway 395 corridor through Lee Vining are designated commercial. The land immediately surrounding the parcel is owned by Southern California Edison, including the power facility directly across Highway 395. The nearest residential land use designation is over 2,000 feet away. Access to the business is gained off Utility Road.

**Figure 1: Location of parcel, 51005 Highway 395, Lee Vining**



*Parcel location highlighted in blue*

**Figure 2: Project location and surrounding land use designations**

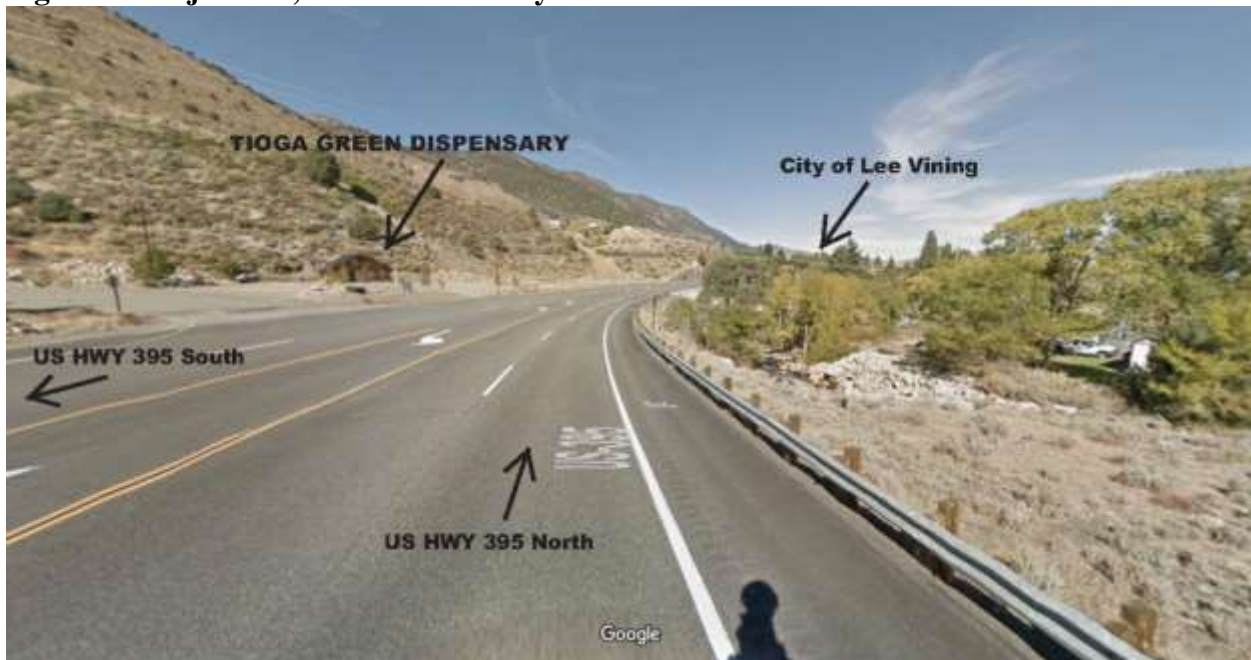




Figure 3: Existing structure, looking south



Figure 4: Project site, viewed from Hwy 395 North





**Figure 5: Project site, as viewed from Hwy 395 South**



### **General Plan Consistency**

The General Plan Land Use Designation for this property is Commercial (C). According to the Mono County General Plan, “the ‘C’ designation is intended to provide for a wide range of uses and service for the resident and the visitor including retail, business and professional uses and services in community areas....” Permitted uses subject to a use permit under the Commercial land use designation include retail trade, services, and business services. The proposed development is also consistent with Mono Basin Community Plan policies contained in the Mono County General Plan Land Use Element.

### **Mono County Land Use Element, Countywide Land Use Policies**

**Objective 1.L:** Provide for commercial cannabis activities in Mono County in a way that protects public health, safety, and welfare while also taking advantage of new business and economic development activities.

Policy 1.L.3: Avoid, reduce, and prevent potential issues specific to commercial cannabis activities that may adversely affect communities.

Policy 1.L.4: In recognition of the potential economic benefits of this new industry, encourage the responsible establishment and operation of commercial cannabis activities.

The Use Permit and Operation Permit processes evaluate and attempt to reduce potential issues specific to cannabis. A responsible cannabis establishment has the potential to enhance and diversify the Lee Vining economy.

**Objective D:** Provide for commercial development to serve both residents and visitors.

Policy 1: Concentrate commercial development within existing communities.

**Action 1.1:** Designate a sufficient amount of commercial land within communities to serve the needs of residents and visitors.

The proposal provides a commercial operation unique to the Mono Basin planning area that serves both residents and visitors. The project is located within close proximity to the Lee Vining commercial core.

## **Mono Basin Community Plan**

**Goal 2:** Grow a sustainable local economy with diverse job opportunities that offers year-round employment and wages that reflect the cost of living in the area.

**Objective A:** Plan for a diversified, sustainable economy.

Policy 1: Achieve a more-diversified economy and employment base consistent with the small-town, rural nature of the Mono Basin.

**Objective C:** Diversify the existing economic base and employment opportunities to achieve a more sustainable economy.

Policy 2: Encourage and support new business development and entrepreneurial efforts that contribute to a mix of uses and services, and a wider range of employment opportunities.

Policy 5: Support the revitalization of Main Street.

**Action 5.2:** Explore options for encouraging and facilitating the use of vacant commercial space for new businesses.

Policy 7: Encourage businesses and services to remain open year round

The proposal takes advantage of an existing vacant commercial space along the Lee Vining Main Street corridor. The project contributes to a more-diverse economy for the Mono Basin and offers additional year-round employment.

## **Use Permit Findings**

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

Section 32.010, Required Findings:

1. *All applicable provisions of the Mono County General Plan are complied with, and the site of the proposed use is adequate in size and shape to accommodate the use and to accommodate all yards, walls and fences, parking, loading, landscaping and other required features because:*
  - a) Cannabis retail is permitted in commercial designations, subject to Use Permit under Chapter 13, Cannabis Regulations.

- b) Adequate site area exists for the proposed use. The project proposes no physical expansion of the main structure and the addition of a 10' x 10' shed does not restrict use of the property. The shed meets all setback requirements.
  - c) The site provides adequate parking. The retail area requires one space for every 200 square feet of gross leasable area and warehouse space requires one space for every 1,000 square feet of gross floor area. The retail area does not exceed 400 square feet and storage does not exceed 1,000 square feet, meaning at least three spaces and a loading area are required. As shown on the site plan (Attachment 1), the project proposes 21 spaces, including two ADA spaces, and a loading area. Improvements to the existing parking area include paving, lighting, and the addition of a curb-feature to ensure all stormwater drains to the on-site detention basin.
  - d) The location of the proposed project is consistent with the Mono Basin Community Plan's intent of concentrating resident- and visitor-oriented services in close proximity to the Lee Vining commercial core.
2. *The site for the proposed use related to streets and highways is adequate in width and type to carry the quantity and kind of traffic generated by the proposed use because:*
- a) The parcel is accessed via Utility Road and is adequate for the kind of traffic generated by the proposed use. Parking is sufficient for employees and visitors.
  - b) All construction will occur within the parcel boundaries and will not interfere with the Highway 395 right of way.
3. *The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located because:*
- a) The proposed use is not expected to cause significant environmental impacts. There will be no expansion of the existing building. Paving and addition of a storage shed will occur on previously disturbed areas.
  - b) The proposed project is a conforming use according to the Mono County General Plan's Land Use Element. The use permit process provides the public opportunity to comment on the proposal. Public noticing was provided in the Mammoth Times and The Sheet (Attachment 2) and mailed to property owners within 300 feet of the site. No comments have been received.
4. *The proposed use is consistent with the map and text of the Mono County General Plan because:*
- a) Retail cannabis operations are permitted in commercial land use designations, given they meet the criteria set forth by Chapter 13, MCC 5.60, and state licensing.
  - b) The project is located within the Mono Basin Planning Area. The Mono Basin Community Plan encourages providing a wide range of commercial uses and services for residents and visitors. The project provides an unfilled service for residents and visitors of Lee Vining.

## Compliance with Mono County General Plan Chapter 13, Cannabis Regulations

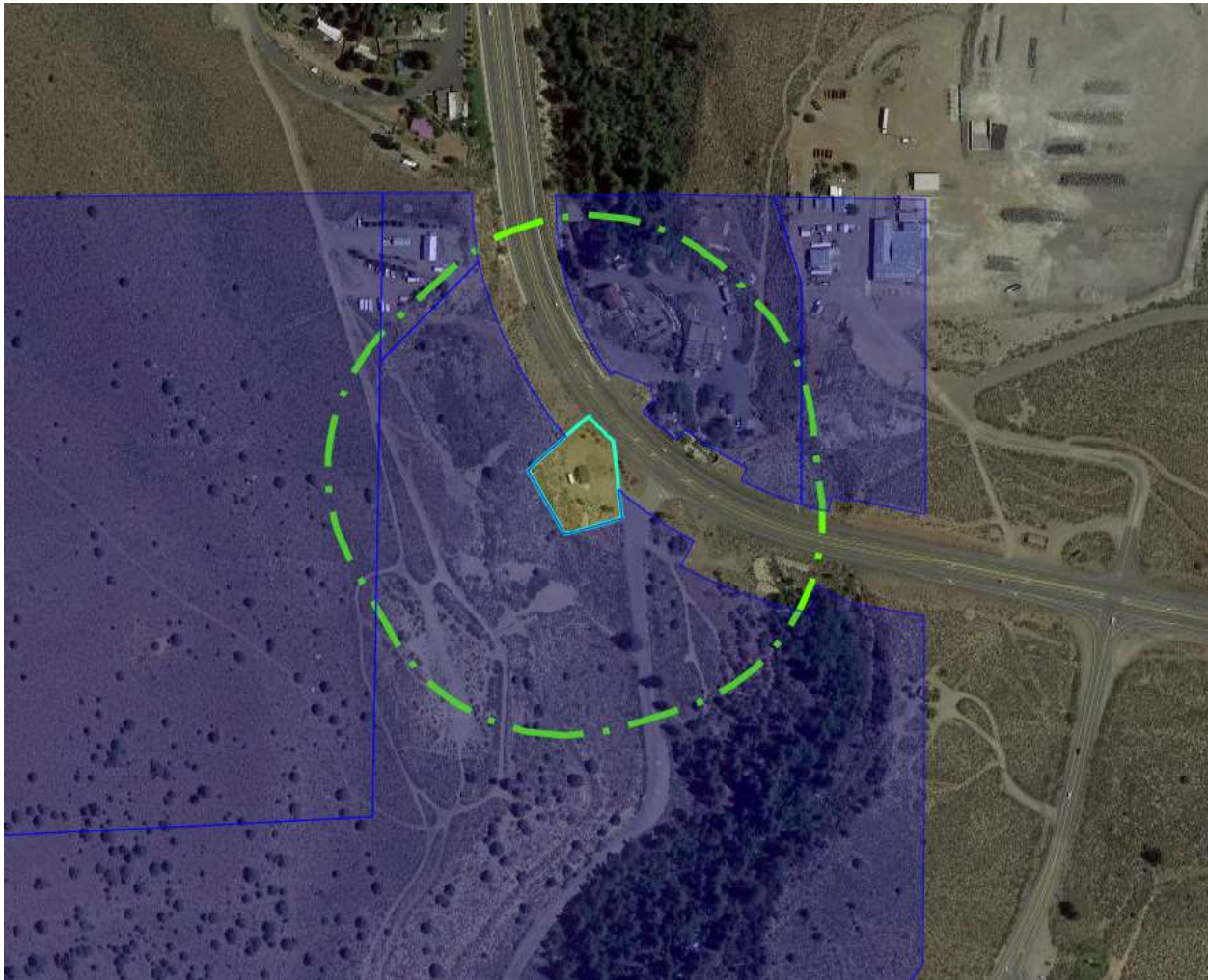
In addition to General Plan policies and regulations, commercial cannabis activities shall comply with Chapter 13. The following general standards and requirements apply to all commercial cannabis activities permitted in the county:

### 13.070.C. Site control

*No commercial cannabis activity shall be allowed within six hundred (600) feet of schools providing instruction to kindergarten or any grades 1 through 12, day care or youth centers, parks, ballfields, playgrounds, libraries, community centers, and licensed child-care facilities.*

The above-mentioned facilities are not located within 600 feet of the site. Lee Vining Elementary is approximately 1,400 feet from the project site. Lee Vining High School, Library, and Community Center are all at least 3,000 feet from the site.

**Figure 6: 600 ft. radius around project location**



**13.070.D. Setbacks**

*All commercial cannabis activities shall meet existing setbacks established in General Plan Chapter 4 – Land Use Designations and 4.120 Yards and Setbacks.*

The structure currently meets setback standards for commercial designations (10' front, 5' rear, 0' side) and the proposal does not include expansion of the building footprint (Attachment 1: site plan). The proposed storage shed also meets setback standards.

Freestanding signs will, at a minimum, meet the five-foot required setback. Sign setbacks likely will be greater to accommodate snow-removal services.

**13.070.E. Odor control**

*An odor mitigation plan is required to demonstrate that odors generated by the commercial cannabis activity shall not unreasonably impact adjacent properties and uses, or that odor mitigation measures are not applicable due to lack of cannabis-related odor generation, location or siting, design features, or other factors.*

The project is for retail only with no associated growing operation. The store will sell only pre-packaged products from licensed distributors. Consumption of products, including smoking or use of vaporized concentrated products, is prohibited on site. Odor mitigation measures are not applicable due to lack of cannabis-related odor generation.

**13.070.F. Signage**

*A Sign Plan shall be required to demonstrate compliance with General Plan Land Development Regulations, Chapter 4.190 Signs, and Chapter 7 Signs.*

The project proposes the addition of three signs – one attached to the building and two freestanding at the property line located along Highway 395. The building sign is proposed to be between 25 and 35 square feet. Attached signs may occupy one square foot for each two lineal feet of business frontage upon which the sign is located (General Plan, 07.030.A.). With a business frontage of 190 feet, the building is allowed a sign up to 95 square feet.

The two freestanding signs will be located at the northeast and southeast corners of the parcel along Highway 395. Freestanding signs may occupy one square foot for every three lineal feet of street frontage (General Plan, 07.030.C.), meaning the combined area of the freestanding signs may not exceed 95 square feet. Also, in accordance with 07.030.C., the signs will not exceed 20 feet in height and will have a minimum setback of five feet. Possible design styles are shown in Figure 9.

No signs will contain any depictions of cannabis.



**Figure 7: Proposed location of freestanding signs**



**Figure 8: Location and approximate size of proposed attached sign.**



**Figure 9: Design models for freestanding signs****13.070.G. Visual screening**

*All Cannabis, Cannabis Products and Cannabis Accessories shall be screened from view from a public right of way to the best of the Permittee's ability.*

The proposal states that the interior layout will not allow for any cannabis products to be visible from the street, and no cannabis products will be placed in the existing display window.

**13.070.H. Lighting**

*All commercial cannabis activities shall comply with General Plan Land Use Element Chapter 23 – Dark Sky Regulations regardless of activity type or premise location.*

Lighting for Tioga Green will conform with Chapter 23, Dark Sky Regulations. The project will install directional lighting with shielding for signage, walkways, and the building exterior.

Lighting is shown in the attached site plan (Attachment 1).

**13.070.I. Parking**

*A Parking Plan depicting availability and requirements for parking shall be submitted. The Plan shall demonstrate the provision of adequate on-site parking for all employees and allow for loading and unloading.*

The site provides adequate parking (Attachment 1: Site Plan). The retail area requires one space for every 200 square feet of gross leasable area, and warehouse space requires one space for every 1,000 square feet of gross floor area. The retail area does not exceed 400 square feet and storage does not exceed 1,000 square feet, meaning at least three spaces and a loading area are required. The project proposes 21 spaces, including two ADA spaces, and a loading area.



Improvements to the existing parking area include paving, lighting, and addition of a curb feature to ensure all stormwater drains to the on-site detention basin.

### **13.070.J. Noise**

*Noise generation shall comply with the Mono County General Plan Noise Element and Mono County Code, Chapter 10.16.*

The project is not expected to generate noise beyond that of similar commercial operations in the Lee Vining commercial core.

### **Environmental Review**

The project qualifies for a categorical exemption from the provisions of CEQA as the project is considered a Class 3 – Conversion of Small Structure (CEQA Guidelines, 15303). A Class 3 exemption consists of construction and location of limited number of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. Class 3 categorical exemptions specifically include stores, motels, offices, restaurants or similar structures not involving the use of significant amounts of hazardous substances, and not exceeding 2,500 square feet in floor area. The project proposes no expansion to the building footprint or modifications to the exterior of the structure. The retail use is consistent with current and historical uses for the property.

### **Attachments**

- Attachment 1 – Site Plan
- Attachment 2 – Noticing

**MONO COUNTY**  
**Planning Division**

**DRAFT NOTICE OF DECISION & USE PERMIT**

**USE PERMIT:** 19-006 **APPLICANT:** Cory Zila

**ASSESSOR PARCEL NUMBER:** 021-080-022  
**PROJECT TITLE:** Tioga Green Cannabis Retail

**PROJECT LOCATION:** 51005 Highway 395, Lee Vining, CA

**CONDITIONS OF APPROVAL**  
See attached Conditions of Approval

ANY AFFECTED PERSON, INCLUDING THE APPLICANT, NOT SATISFIED WITH THE DECISION OF THE COMMISSION, MAY WITHIN TEN (10) DAYS OF THE EFFECTIVE DATE OF THE DECISION, SUBMIT AN APPEAL IN WRITING TO THE MONO COUNTY BOARD OF SUPERVISORS.

THE APPEAL SHALL INCLUDE THE APPELLANT'S INTEREST IN THE SUBJECT PROPERTY, THE DECISION OR ACTION APPEALED, SPECIFIC REASONS WHY THE APPELLANT BELIEVES THE DECISION APPEALED SHOULD NOT BE UPHeld AND SHALL BE ACCOMPANIED BY THE APPROPRIATE FILING FEE.

**DATE OF DECISION/USE PERMIT APPROVAL:** May 16, 2019  
**EFFECTIVE DATE USE PERMIT:** May 27, 2019

This Use Permit shall become null and void in the event of failure to exercise the rights of the permit within one (1) year from the date of approval unless an extension is applied for at least 60 days prior to the expiration date.

Ongoing compliance with the above conditions is mandatory. Failure to comply constitutes grounds for revocation and the institution of proceedings to enjoin the subject use.

**MONO COUNTY PLANNING COMMISSION**

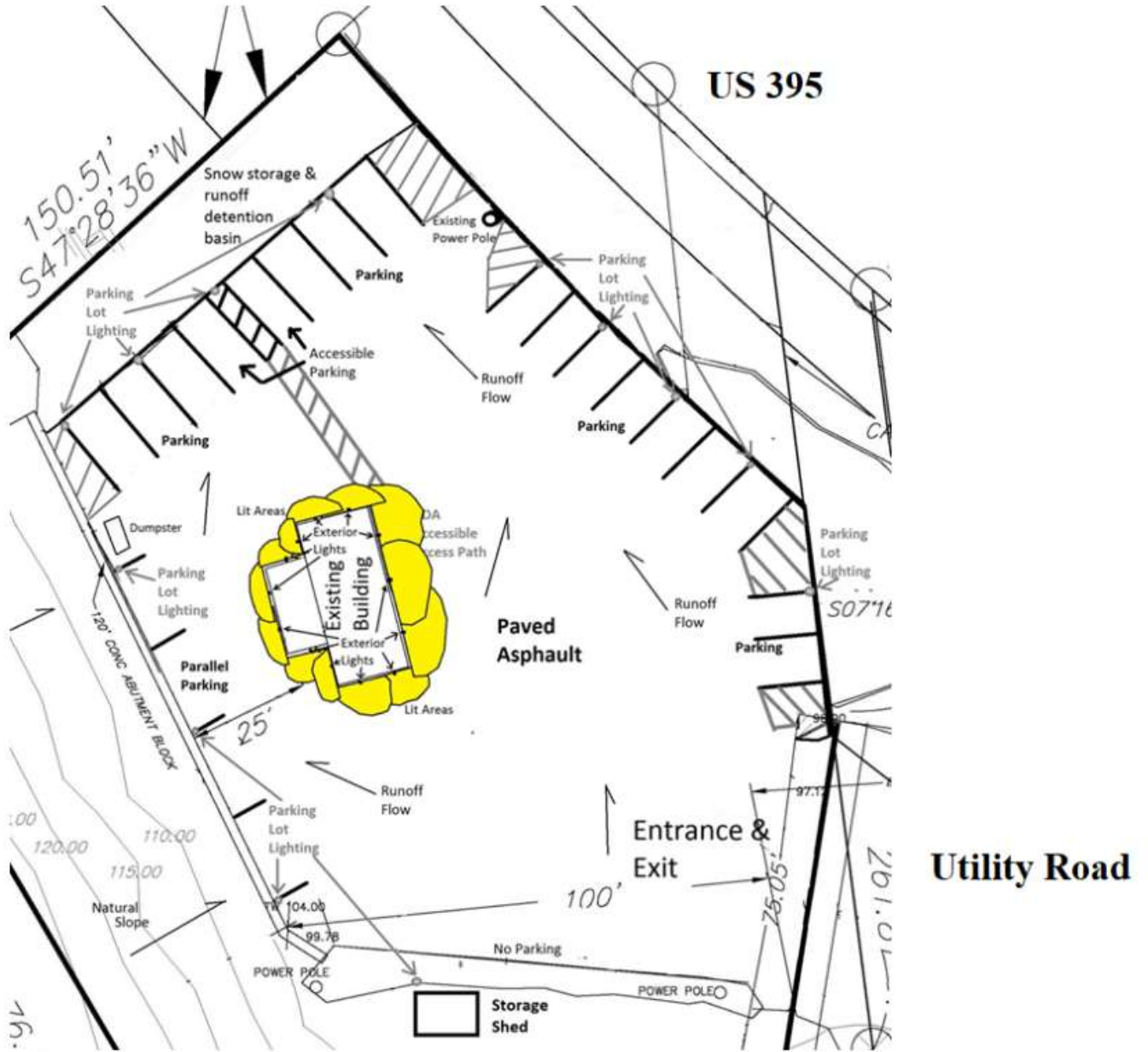
**DATED:** May 16, 2019

- cc:   X   Applicant
- X   Public Works
- X   Building
- X   Compliance

**CONDITIONS OF APPROVAL**  
**Use Permit 19-006/Tioga Green Cannabis Retail**

- 1) All development shall meet requirements of the Mono County General Plan, Mono County Code, and project conditions.
- 2) Project shall comply with Chapter 13, Cannabis Regulations.
- 3) Project shall obtain a Mono County Operation Permit prior to use.
- 4) The project shall be in substantial compliance with the site plan as shown on Attachment 1 found in the staff report.
- 5) Construction for the project shall be contained within the boundaries of the parcel. All construction activities within the Highway 395 right of way must obtain an encroachment permit from Caltrans.
- 6) A curb or similar feature shall border the paved parking area to ensure all stormwater drains to the on-site detention basin.
- 7) Freestanding signs shall have a setback exceeding the five-foot minimum standard in order to accommodate snow removal services.
- 8) Prior to installation, applicant shall submit sign designs to the Mono County Community Development Department for approval.
- 9) Exterior of the building and accessory shed shall follow Mono County Design Guidelines, including the use of earth tones and non-reflective materials.
- 10) Project shall provide at least three 10' x 20' parking spaces and a loading area.
- 11) All exterior lighting shall be shielded and directed downward to comply with Chapter 23, Dark Sky Regulations.
- 12) On-site consumption of cannabis products is prohibited.
- 13) There shall be no expansion of cannabis uses without approval by the Mono County Planning Commission.
- 14) Applicant shall obtain operation permit, cannabis state license, business license, and all other required approvals prior to operation.
- 15) Project is required to comply with any requirements of the Lee Vining Fire Protection District. The applicant shall provide a "will serve" letter from the Lee Vining Fire Protection District indicating the FPD will provide service to the project.
- 16) Project shall comply with all Mono County Building Division, Public Works, and Environmental Health requirements.
- 17) Project shall comply with all conditions in Use Permit 19-006. Use Permit 34-06-05 is revoked.
- 18) If any of these conditions are violated, this permit and all rights hereunder may be revoked in accordance with Section 32.080 of the Mono County General Plan, Land Development Regulations.

Attachment 1 – Site Plan



**Attachment 2 - Noticing**

MONO COUNTY  
PLANNING COMMISSION

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

PO Box 8  
Bridgeport, CA 93517  
760.932.5420, fax 932.5431  
[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

Date: April 30, 2019  
To: The Sheet  
From: CD Ritter  
Re: Legal Notice for the **May 4** issue.  
Invoice: Cara Isaac, PO Box 347, Mammoth Lakes, CA 93546

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that Mono County Planning Commission will conduct a public hearing **May 16, 2019**, at Board of Supervisors Chambers, Mono County Courthouse, Bridgeport, CA, to consider the following: **10:10 a.m. CONDITIONAL USE PERMIT 19-002/Walker River Farms:** Proposal for a cannabis microbusiness on an Agriculture (AG-10) parcel located at 1129 Larson Lane, Coleville (APN 002-110-021). The cannabis canopy will be roughly 8,600 square feet. The entire operation consists of four buildings (20x64 feet each). Microbusiness activities include cultivation, distribution, and non-storefront retail. A CEQA 15183 exemption is proposed. **10:30 a.m. CONDITIONAL USE PERMIT 19-006/Tioga Green & REVOCATION OF CONDITIONAL USE PERMIT 34-06-05/Hebert:** Conversion of an existing vacant 690-square foot commercial building into cannabis retail and revocation of the existing use permit for a drive-through restaurant. The proposal is located at 51005 Highway 395 (APN 021-080-022) south of Lee Vining commercial core and gains access from Utility Road. Modifications to the property include interior remodel of existing structure, addition of storage shed, new signage, and paving and lighting for parking area. A Class 3 CEQA exemption is proposed. Land use designation is commercial (C). **10:50 a.m. VARIANCE & USE PERMIT/3D Housing Development:** Conditional Use Permit 18-017 proposes a five-unit housing project on the corner of Howard Avenue and Bruce Street in the community of June Lake. Each unit is approximately 800 square feet. Variance 18-001 is a request for a zero setback from the top of a bank/water course for two units and a portion of the parking area. The watercourse runs along the eastern portion of the project site. The parcel is 0.43 acres in size (APN 015-103-022) and has a land use designation of Multi-Family Residential High (MFR-H). A CEQA exemption 15183 is proposed. Project files are available for public review at the Community Development Department offices in Bridgeport and Mammoth Lakes. INTERESTED PERSONS may appear before the Planning Commission to present testimony or, prior to or at the hearing, file written correspondence with: Secretary to the Planning Commission, PO Box 347, Mammoth Lakes, CA 93546. If you challenge the proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to Secretary to the Planning Commission at, or prior to, the public hearing.

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**Mono County**  
**Community Development Department**

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PO Box 347  
Mammoth Lakes, CA 93546  
760-924-1800, fax 924-1801  
commdev@mono.ca.gov

**Planning Division**

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[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

May 16, 2019

To: Mono County Planning Commission

From: Bentley Regehr, Planning Analyst  
Gerry Le Francois, Principal Planner

Re: Variance 18-001/3D Housing

### **Recommendation**

It is recommended the Planning Commission take the following actions:

1. Find that the project is exempt from CEQA as a Categorical Exemption under CEQA guideline 15183 and direct staff to file a Notice of Exemption; and
2. Adopt the findings contained in the staff report and approve Variance 18-001 to allow a zero-foot setback from the top of the stream bank and a 10-foot front setback for a multi-family housing project on APN 015-103-022.

### **Project Overview**

The proposal is for five residential units located on the lot at the intersection of Howard Avenue and Bruce Street (APN 015-103-022). The parcel is designated Multi-Family Residential High (MFR-H), which allows for up to 15 units per acre. The 0.43-acre project site is allowed up to six units, assuming all other site requirements are met including setbacks, lot coverage, parking, and snow storage. Each 800-square foot unit will have two bedrooms. The project will be accessed from both Howard Avenue and Bruce Street. A stream travels through the eastern portion of the site, beginning at the intersection of Howard and Bruce and running southwest (Attachment 1 – site plan).

Variance 18-001 will approve a zero-foot setback from the top of the stream bank for two of the units and a paved parking area. The variance also approves a 10-foot setback from the snow storage easement along Howard Avenue (standard front setback is 20 feet).

### **Project Setting**

The site is located west of the June Lake commercial core, near the Gull Lake marina. The project is within a Multi-Family Residential, High designation that allows for and encourages higher-density development. Parcels located directly north and east of the property are designated Commercial Lodging High, including the Gull Lake Lodge across Howard Avenue. Public amenities in the immediate vicinity include the June Lake Library, Community Center, and Gull Lake Park.

Primary access for the site is from Howard Avenue. Additional parking is accessed from Bruce Street.



Figure 1: Aerial view of project location

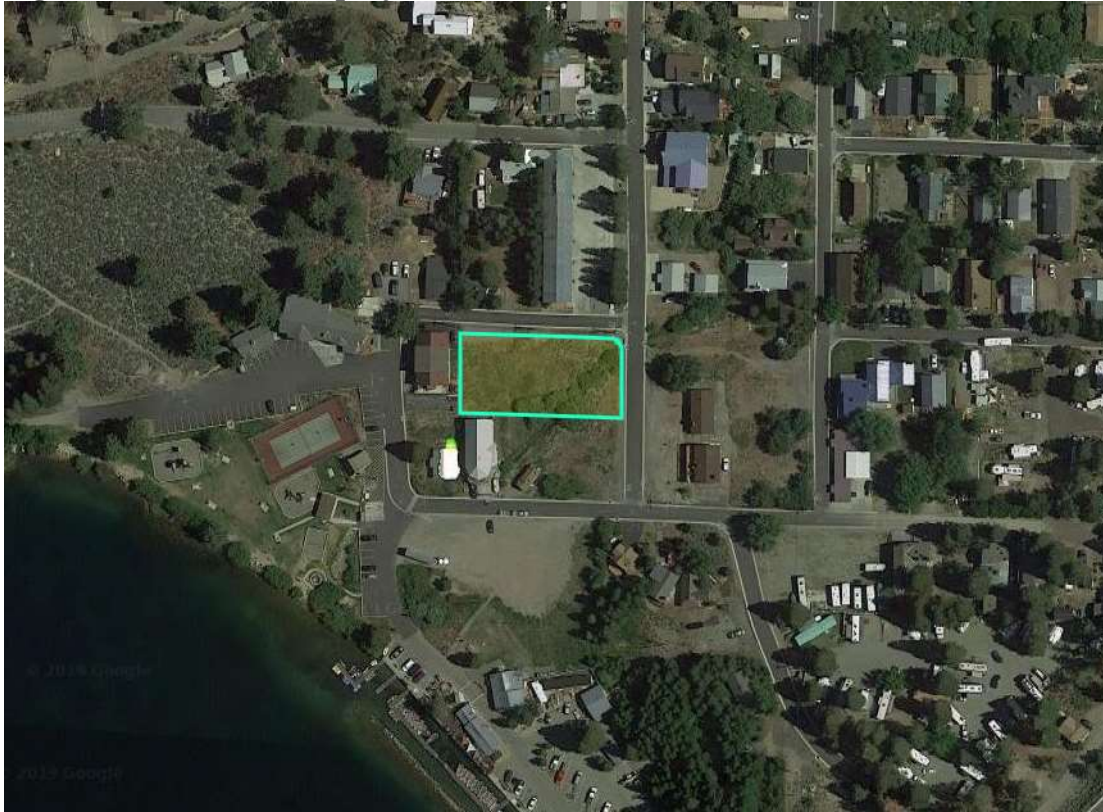


Figure 2: Land Use Designation Map





## General Plan Consistency

Multi-Family Residential projects are required to meet setbacks of 20 feet in the front, 10 feet in the rear, and 10 feet on side property lines (General Plan 04.120). The project proposes a 10-foot setback from the front property line. An additional existing 10-foot snow storage easement equates to a setback of 20 feet from the unit closest to the street. The project also proposes an 8.7-foot side setback. In accordance with the exception set forth in 04.120.C., the western side setback was deemed to be adequate as snow does not shed in that direction. The exception allows for side setbacks to be in compliance without a variance. The rear setback of 10 feet meets the General Plan requirement.

General Plan Section 04.120.F. requires any proposed structure, including associated impervious surfaces, shall be located a minimum of 30 feet from the top of the bank (General Plan, 04.120F). The project proposes a zero-foot setback from Unit 4, Unit 5, and the east parking area to the top of the stream bank with approval required through Variance 18-001. Environmental analysis under CEQA Guidelines Section 15183 (Attachment 2) shows no significant impacts, including those to biological or water resources, due to reduction of setbacks.

**Table 1: Summary of Setbacks**

|                             | <b>General Plan Requirement</b> | <b>Proposed</b>       | <b>Approval Through:</b> |
|-----------------------------|---------------------------------|-----------------------|--------------------------|
| <b>Front</b>                | 20'                             | 10' (20' from street) | Variance 18-001          |
| <b>Side</b>                 | 10'                             | 8.7'                  | Exception 04.120.C.      |
| <b>Rear</b>                 | 10'                             | 10'                   | Permitted                |
| <b>Stream (top of bank)</b> | 30'                             | 0'                    | Variance 18-001          |

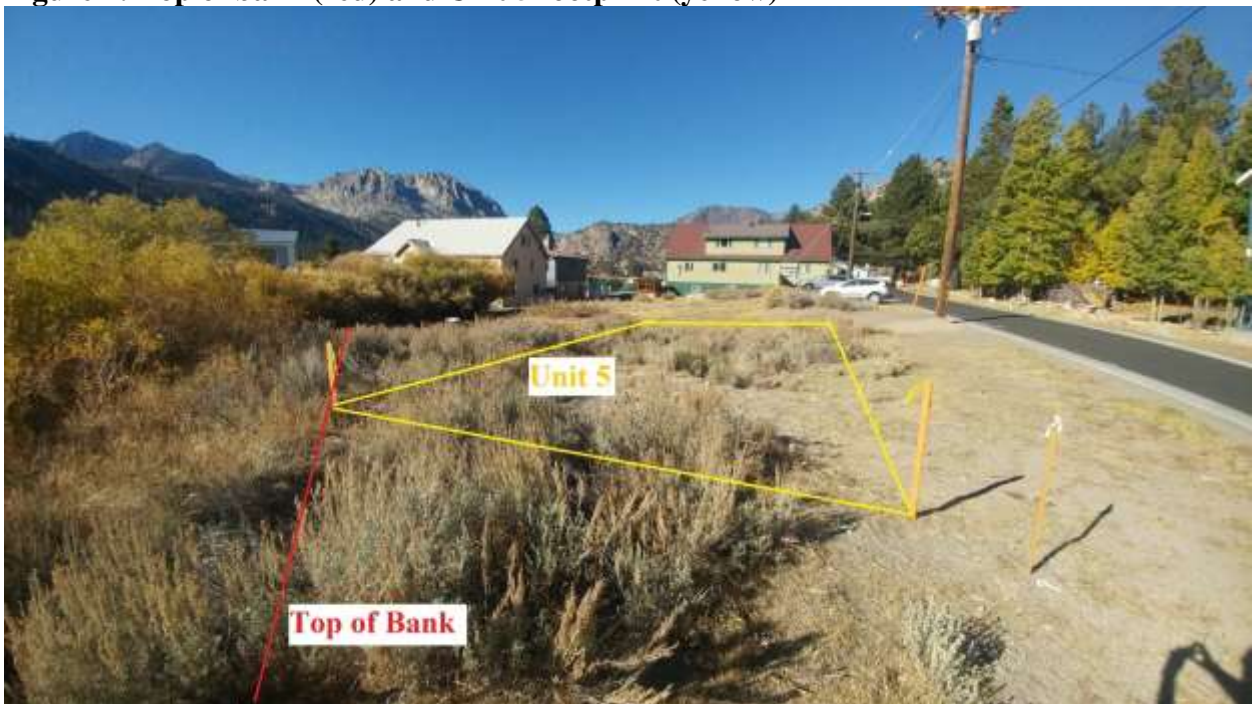
In order to deviate from required setbacks, a variance must be approved. A variance is a permit issued to a landowner by an administrative agency, in this case the Planning Commission, to construct a structure or carry on an activity not otherwise permitted under the land use designation. The statutory justification for a variance is that the owner would otherwise suffer unique hardship under the general land use regulations because his or her parcel is different from the others to which the regulation applies due to size, shape, topography, or location.

The concept is not that the basic land use designation is being changed but that the property owner is allowed to use his property in a manner basically consistent with the established regulations with such minor variations that will place him in parity with other property owners in the same designation. All of the required findings specified in Mono County General Plan Chapter 33.010 A-D must be made in order to issue a variance.

**Figure 3: Rear setback, marked in red**



**Figure 4: Top of bank (red) and Unit 5 footprint (yellow)**



## Environmental Review

CEQA mandates that projects that are consistent with the development density established by existing zoning, community plan, or general plan policies for which an Environmental Impact Report (EIR) was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects peculiar to the project or its site. The 15183 analysis (Attachment 2) found no significant impacts peculiar to the variance beyond the scope of mitigation measures stated in the Mono County General Plan EIR. The 15183 analysis specifically reviewed potential impacts related to land use, housing, soils, water, air quality, transportation, biological resources, energy resources, hazards, noise, and utilities.

## Variance Findings

The Planning Commission can approve a variance based only on the provisions of the General Plan and only when all of the findings can be made:

1. *Because of special circumstances (other than monetary hardship) applicable to the property, including its size, shape, topography, location or surrounding, the strict application of the provision of this title deprives such property of privileges (not including the privilege of maintaining a nonconforming use or status) enjoyed by other property in the vicinity and in an identical land use designation because:*

The property is significantly constrained by the creek running through the eastern portion of the parcel. A 30-foot setback from the top of the bank is required and substantially limits the unit potential for the Multi-Family Residential, High (MFR-H) property. Absent the creek, the site could reasonably accommodate at least five units while meeting setbacks. The MFR-H designation is intended for high-density development, up to 15 units per acre. Decreasing the setback from 30 feet to zero feet allows for two additional workforce housing units.

The property also contains an additional 10-foot snow storage easement along Howard Avenue that adjoining properties do not have. The project maintains a 20-foot setback from buildings to the street, like adjoining properties if the easement is included. Snow storage requirements are met for the project, and the reduced front setback from the property line will not impede snow removal equipment.

2. *The granting of a variance will not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and in the land use designation in which the property is situated because:*

The surrounding area is designated Multi-Family Residential, High and Commercial Lodging, High. The proposed project is like surrounding high-density residential and lodging uses. Due to setback constraints of the parcel, the applicant has asked for a zero-foot setback from the top of the creek bank to allow development of the property in a manner consistent with the established surrounding parcels. The 20-foot setback from buildings to Howard Avenue is consistent with adjacent development. A similar reduced setback from the creek was granted through Variance 16-001 for a residence located on a neighboring lot to the south.

The variance permit process provides to the public opportunity to comment on the proposed setback reductions. Following a notice to surrounding property owners, no comments have been received.

3. *The granting of a variance will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is situated because:*

The property is in an area characterized by high-density multi-family and lodging development, and the proposed project would be consistent with adjoining uses. California Department of Fish and Wildlife was notified of the project and did not have concerns regarding the reduced creek setback.

4. *The granting of a variance will not conflict with the established map and text of the general and specific plans and policies of the county because:*

#### June Lake Area Plan

- 1) *Land Use, Objective C, Policy 13.C.1. states: Encourage compatible development in existing and adjacent to neighborhood areas.*

The project is permitted subject to use permit approval for the MFR-H land use designation and will be compatible with uses on surrounding parcels also designated MFR-H.

- 2) *Land Use Objective E, Policy 13.E.1. states: Encourage infilling and/or revitalization in areas designated for development in the Area Plan.*

The proposed project is within an existing high-density neighborhood and provides workforce housing units for the June Lake community.

- 3) *Policy 18.A.1. Mitigate impacts or limit development to an appropriate level in environmentally and visually sensitive areas. Environmentally sensitive areas include riparian areas, potential high groundwater table zones, wetlands, and steep hill slopes.*

CEQA 15183 analysis found no significant impacts peculiar to the housing project beyond the scope of mitigation measures stated in the Mono County General Plan EIR. The 15183 analysis specifically reviewed potential impacts related to land use, housing, soils, water, air quality, transportation, biological resources, energy resources, hazards, noise, and utilities.

#### **Attachments**

- Attachment 1 – Site Plan
- Attachment 2 – CEQA 15183 Analysis
- Attachment 3 – Public Hearing Notice

# MONO COUNTY

## Planning Division

### NOTICE OF DECISION / VARIANCE

**VARIANCE #:** 18-001

**APPLICANT:** John Head, Affordable Resort  
Community Housing, LLC

**ASSESSOR PARCEL NUMBER:** 015-103-022

**PROJECT TITLE:** 3D Housing

**PROJECT LOCATION:** Howard Avenue, June Lake, CA

ANY AFFECTED PERSON, INCLUDING THE APPLICANT, NOT SATISFIED WITH THE DECISION OF THE COMMISSION, MAY WITHIN TEN (10) DAYS OF THE EFFECTIVE DATE OF THE DECISION, SUBMIT AN APPEAL IN WRITING TO THE MONO COUNTY BOARD OF SUPERVISORS.

THE APPEAL SHALL INCLUDE THE APPELLANT'S INTEREST IN THE SUBJECT PROPERTY, THE DECISION OR ACTION APPEALED, SPECIFIC REASONS WHY THE APPELLANT BELIEVES THE DECISION APPEALED SHOULD NOT BE UPHeld AND SHALL BE ACCOMPANIED BY THE APPROPRIATE FILING FEE.

On May 16, 2019, a duly advertised and noticed public hearing was held, and the necessary findings, pursuant to Chapter 33, section 33.010 of the Mono County General Plan, were made by the Mono County Planning Commission. In accordance with those findings, a Notice of Decision is hereby rendered for **3D Housing Variance** subject to the following conditions:

**DATE OF DECISION:** May 16, 2019

Ongoing compliance with the above conditions is mandatory. Failure to comply constitutes grounds for revocation and the institution of proceedings to enjoin the subject use.

**MONO COUNTY PLANNING COMMISSION**

**DATED:** \_\_\_\_\_

\_\_\_\_\_  
Staff Signature

- cc:  Applicant
- \_\_\_\_\_ Engineer
- \_\_\_\_\_ Assessor's Office
- \_\_\_\_\_ Compliance Specialist

**CONDITIONS OF APPROVAL**

## Variance 18-001/3D Housing

1. The project shall be in substantial compliance with project description and site plan. The front setback shall be at least 10 feet from the easement.
2. Buildings and paved areas shall not extend past top of the stream bank, as identified on the site plan.
3. No construction or disturbance shall occur between the tops of streambanks or within the stream, and the streambed shall not be altered.
4. Project shall comply with applicable standards in the General Plan Appendix: Low Impact Development practices.
5. Project shall provide a “will serve” letter from the June Lake PUD.
6. Project shall provide a “will serve” letter from the June Lake FPD.
7. Project shall comply with any required permits from Department of Public Works.
8. Project shall comply with any required permits from the Building Division.
9. Best management practices, as required by the Building Division and/or the Department of Public Works, shall be required and implemented.

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**Mono County**  
**Community Development Department**

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PO Box 347  
Mammoth Lakes, CA 93546  
760-924-1800, fax 924-1801  
commdev@mono.ca.gov

**Planning Division**

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Bridgeport, CA 93517  
760-932-5420, fax 932-5431  
[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

May 16, 2019

To: Mono County Planning Commission

From: Bentley Regehr, Planning Analyst  
Gerry Le Francois, Principal Planner

Re: Use Permit 18-017/3D Housing

### **Recommendation**

It is recommended the Planning Commission take the following actions:

1. Find that the project is exempt from CEQA as a Categorical Exemption under CEQA guideline 15183 and direct staff to file a Notice of Exemption;
2. Make the required findings as contained in the project staff report; and
3. Approve Use Permit 18-017 subject to Conditions of Approval.

### **Project Overview**

The proposal is for five residential units located on the lot at the intersection of Howard Avenue and Bruce Street (APN 015-103-022). The parcel is designated Multi-Family Residential High (MFR-H), which allows for up to fifteen units per acre. The 0.43 acre project site is allowed up to six units, assuming all other requirements are met including parking and snow storage. Each unit will have two bedrooms and be 800 square feet. The project will be accessed off of both Howard Avenue and Bruce Street.

Approval of Variance 18-001 is required for the project to operate under reduced standards for front and stream setbacks.

### **Project Setting**

The site is located west of the June Lake commercial core, near the Gull Lake marina. The project is within a Multi-Family Residential, High designation which allows for and encourages higher density development. Parcels located directly north and east of the property are designated Commercial Lodging High, including the Gull Lake Lodge across Howard Avenue. Public amenities in the immediate vicinity include the June Lake Library, Community Center, and Gull Lake Park.

Primary access for the site is via Howard Avenue. Additional parking is accessed from Bruce Street.



Figure 1: Aerial view of project location

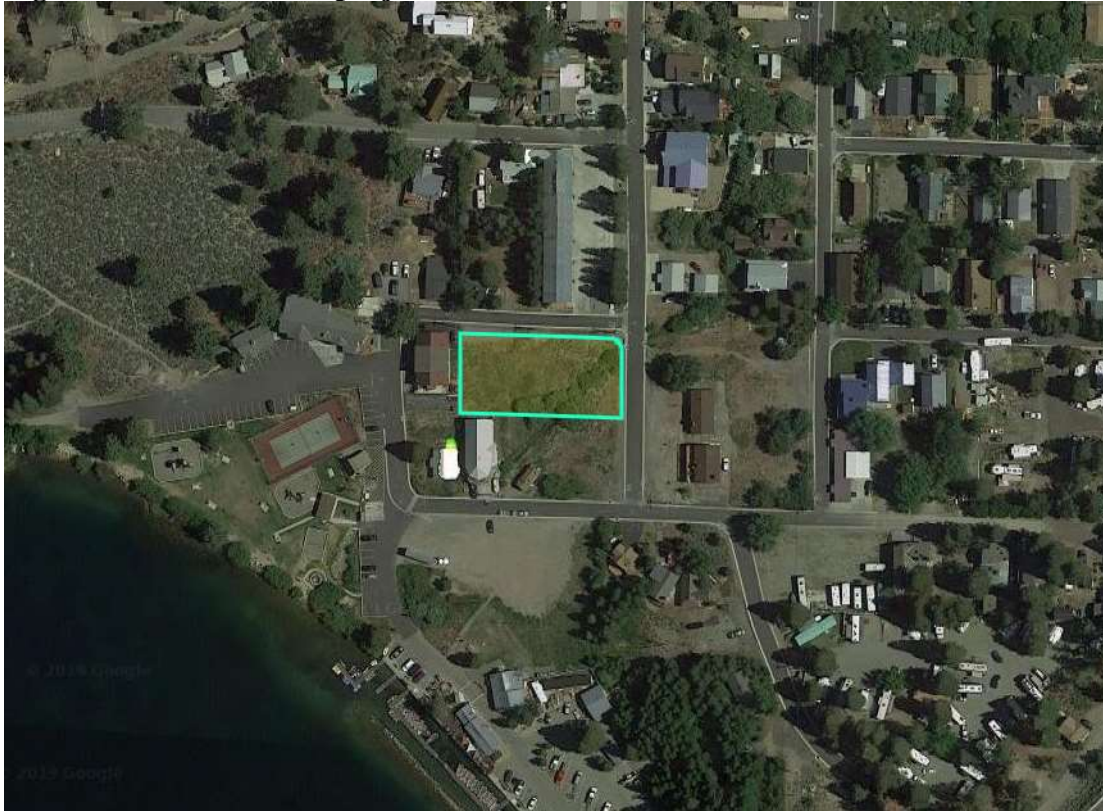
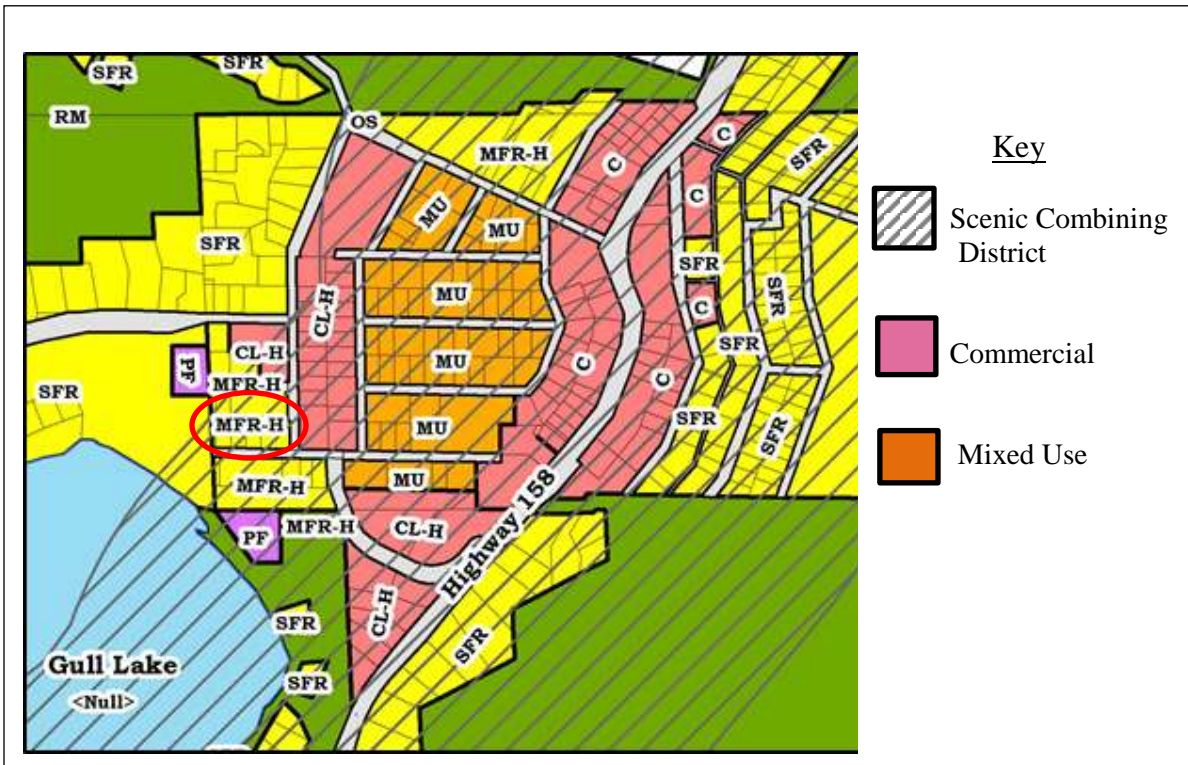


Figure 2: Land Use Designation Map





**Figure 3: Rear setback, marked in red**



**Figure 4: Top of bank (red) and Unit 5 footprint (yellow)**



**Figure 5: Unit visualization, as seen from the corner of Howard Avenue and Bruce Street**



### **Discussion**

The following discusses key aspects of the proposal, including setbacks, parking, snow storage, lot coverage, density, and CEQA, and reviews their conformity with General Plan and Planning Commission requirements:

### **Setbacks**

Multi-Family Residential projects are required to meet setbacks of 20 feet in the front, 10 feet in the rear, and 10 feet on side property lines (General Plan 04.120). The project proposes a 10-foot setback from the front property line. An additional 10-foot snow storage easement equates to a setback of 20 feet from the unit to the street. The project also proposes an 8.7-foot side setback. In accordance with the exception set forth by 04.120.C, side setbacks were deemed to be adequate as snow does not shed in that direction. The rear setback of 10 feet meets the General Plan requirement.

Any proposed structure, including associated impervious surfaces, shall be located a minimum of 30 feet from the top of the bank (General Plan, 04.120F). The project proposes a zero-foot setback from Unit 4, Unit 5, and the east parking area to the top of the stream bank. Environmental analysis under CEQA Guidelines Section 15183 shows no significant impacts, including those to biological or water resources, due to the reduction of setbacks.

The reduction in front yard and streambank setbacks are approved separately through Variance 18-001.

**Table 1: Summary of Setbacks**

|                             | <b>General Plan Requirement</b> | <b>Proposed</b>       | <b>Approval Through:</b> |
|-----------------------------|---------------------------------|-----------------------|--------------------------|
| <b>Front</b>                | 20'                             | 10' (20' from street) | Variance 18-001          |
| <b>Side</b>                 | 10'                             | 8.7'                  | Exception 04.120.C.      |
| <b>Rear</b>                 | 10'                             | 10'                   | Permitted                |
| <b>Stream (top of bank)</b> | 30'                             | 0'                    | Variance 18-001          |

### **Parking**

Residential complexes are required to have at least two spaces per unit (General Plan, 06.100). Each space must be at least 10' x 20' (General Plan, 06.030). The five-unit project meets parking standards by providing 12 spaces, each 10' x 20'.

### **Snow Storage**

Snow-storage areas shall be provided for all new multifamily (three or more units) developments, including condominiums. Snow-storage areas shall be equal to a required percentage of the area from which the snow is to be removed (i.e., parking and access/roads areas). According to Chapter 4 of the General Plan (04.300), snow storage in areas with a flat-roof snow load of 95+ psf is set at 60% of the area to be plowed. The flat-roof snow load for June Lake is 119 psf. The General Plan states usable snow-storage areas be identified on the site plan and be accessible to snow-removal equipment and substantially clear of obstructions. All designated snow-storage areas shall be at least 10 feet wide or deep in the smallest dimension.

A minimum of 2,629 square feet of snow storage is required for the project based on 4,382 square feet of identified paved area. As shown on the site plan, at least 2,811 square feet of snow storage area is provided. An additional 200 square feet may also be used in high snow years through the utilization of an excess parking space. Snow storage area does not include the drainage that runs through the property or the snow storage easement along Howard Avenue.

### **Lot Coverage**

Approximately 43% of the 0.43-acre parcel is covered by impermeable surface, well within the maximum allowable of 60% for Multi-Family Residential High parcels. Building footprints total 3,800 square feet and paved areas contribute an additional 4,321 square feet.

### **Density**

The Multi-Family Residential, High (MFR-H) designation allows for up to 15 units per acre. At 0.43 acres, the project is allowed up to six units. With the adoption of GPA 19-01, no minimum lot size exists for MFR-H parcels. The project must still meet all building and land use requirements.

### **Environmental Review**

CEQA mandates that projects that are consistent with the development density established by existing zoning, community plan, or general plan policies for which an Environmental Impact Report (EIR) was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects peculiar to the project or its site. The 15183 analysis found no significant impacts peculiar to the housing project beyond the scope of mitigation measures stated in the Mono County General Plan EIR. The 15183 analysis specifically reviewed potential impacts related to land use, housing, soils, water, air quality, transportation, biological resources, energy resources, hazards, noise, and utilities.

## General Plan Consistency

The General Plan Land Use Designation for this property is Commercial (C). According to the Mono County General Plan, “the ‘C’ designation is intended to provide for a wide range of uses and service for the resident and visitor including retail, business and professional uses and services in community areas....” Permitted uses subject to a use permit under the Commercial land use designation include retail trade, services, and business services. The proposed development is also consistent with Mono Basin Community Plan policies contained in the Mono County General Plan Land Use Element.

## Mono County Land Use Element, Countywide Land Use Policies

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

*Action 1.A.1.a.* Encourage infill development in existing communities and subdivisions. New residential subdivisions should occur within or immediately adjacent to existing community areas.

*Action 1.A.1.b.* New residential development for permanent year-round residents should be concentrated in existing community areas.

Development is within an existing multi-family neighborhood. The project is aimed at providing five long-term housing units to permanent residents in the June Lake community.

Policy 1.A.2: Assure that adequate public services and infrastructure are available to serve planned development.

*Action 1.A.2.a.* Require that necessary services and facilities, including utility lines, are available or will be provided as a condition of approval for proposed projects.

*Action 1.A.2.b.* Require that new development projects adjacent to existing communities be annexed into existing service districts, where feasible.

The project site is within existing service districts, including the June Lake PUD and June Lake FPD. “Will serve” letters from the special districts are required.

## June Lake Area Plan

**Goal 1:** Develop June Lake into a moderately sized, self-contained, year-round community.

**Objective 1.C:** Contain growth in and adjacent to existing developed areas.

Policy 1.C.1: Encourage compatible development in existing and adjacent to neighborhood areas.

The project is contained within an existing residential neighborhood in the heart of the June Lake community and has convenient access to services. The housing units are projected to provide long-term housing for June Lake residents.

**Goal 2:** Provide residents and visitors with quality housing, a wide array of housing alternatives designed to promote unique experiences, and year-round housing stock; and promote adequate affordable housing.

**Objective 2.A:** Ensure future development projects mitigate impacts to the local housing stock.

Policy 2.A.3: Mono County, where feasible, shall work with developers and the June Lake community in constructing and maintaining affordable housing for residents.

Policy 2.A.4: Promote year-round housing types and housing for low- and moderate-income households.

The project is intended to provide long-term housing that is affordable to the June Lake workforce. General Plan Amendment 19-01 reduced barriers to higher density for this and future similar projects by eliminating minimum lot sizes for Multi-Family Residential, High parcels assuming building code and land use requirements can be met.

### **Use Permit Findings**

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

Section 32.010, Required Findings:

1. *All applicable provisions of the Mono County General Plan are complied with, and the site of the proposed use is adequate in size and shape to accommodate the use and to accommodate all yards, walls and fences, parking, loading, landscaping and other required features because:*
  - a) Residential developments of four or more units are listed as a permitted use, subject to Use Permit within the Multi-Family Residential High (MFR-H) designation.
  - b) Adequate site area exists for five units in the proposed configuration, with approval of Variance 18-001. The project is within the maximum density of 15 units per acre for MFR-H.
  - c) The 12 on-site parking spaces provide sufficient parking for the development.
  - d) A minimum of 2,629 square feet of snow storage is required for the project based on 4,382 square feet of identified paved area. As shown on the site plan, there is at least 2,811 square feet of snow storage area provided.
  - e) Variance 18-001 allows for reduced front and stream setbacks.
2. *The site for the proposed use related to streets and highways is adequate in width and type to carry the quantity and kind of traffic generated by the proposed use because:*
  - a) Parking for the project is accessed by both Howard Avenue and Bruce Street. Expected traffic generation is consistent with other multi-family uses in the area and will not alter existing circulation patterns.
  - b) All parking will be on site and will not generate crowding on access streets or cause obstructions to snow removal. Howard Avenue and Bruce Street have existing capacity for additional traffic.
3. *The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located because:*
  - a) The project is not expected to have any significant environmental impacts, as outlined in the CEQA 15183 analysis.



- b) The project is expected to be similar in nature to existing multi-family residential projects in the area.
- 4. *The proposed use is consistent with the map and text of the Mono County General Plan because:*
  - a) The project is an allowed use subject to use permit under the MFR-H designation.
  - b) The use is consistent with the goals and policies set forth by the Mono County General Plan and the June Lake Area Plan.

This staff report has been reviewed by the Community Development Director.

**Attachments**

- Attachment 1 – Site Plan
- Attachment 2 – CEQA 15183 Analysis



**CONDITIONS OF APPROVAL**  
**Use Permit 18-017/3D Housing**

- 1) Future development shall meet requirements of the Mono County General Plan, Mono County Code, and project conditions.
- 2) The project shall be in substantial compliance with the site plan as shown on Attachment 1 found in the staff report.
- 3) Project shall utilize areas designated for snow storage as shown on the site plan. Snow storage shall not encroach into the creek past the top of bank.
- 4) All parking shall be on site, as shown on the site plan. No off-site parking is permitted.
- 5) The units shall follow Mono County Design Guidelines, including the use of earth tones and non-reflective materials.
- 6) The project shall use wildlife-resistant outdoor trash receptacles.
- 7) Project shall follow setbacks and conditions identified by Variance 18-001.
- 8) All exterior lighting shall be shielded and directed downward to comply with Chapter 23, Dark Sky Regulations.
- 9) All new wood-burning devices shall be EPA Phase II certified and installed under a building permit.
- 10) The project shall provide long-term housing. Short-term rentals (less than 30 consecutive days) are prohibited.
- 11) In the event of discovery or recognition of any human remains, all work shall be stopped, and there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county has examined the site (California Health and Safety Code §7050.5).
- 12) Project is required to comply with any requirements of the June Lake Fire Protection District. The applicant shall provide a “will serve” letter from the June Lake Fire Protection District indicating the FPD will provide service to the project.
- 13) Project is required to comply with any requirements of the June Lake Public Utility District. The applicant shall provide a “will serve” letter from the June Lake PUD.
- 14) Project shall comply with all Mono County Building Division, Public Works, and Environmental Health requirements.
- 15) Project shall obtain all required building permits prior to construction.
- 16) If any of these conditions are violated, this permit and all rights hereunder may be revoked in accordance with Section 32.080 of the Mono County General Plan, Land Development Regulations.



**3D Housing Development  
CUP 18-017  
Variance 18-001  
June Lake**

**May 16, 2019**



**CEQA Guidelines Section 15183  
Projects Consistent with a Community Plan**

Prepared by  
**Mono County Community Development Department/Planning Division**  
PO Box 347  
Mammoth Lakes, CA 93546

**CUP 18-017 / Variance 18-001  
CEQA SECTION 15183**

**LIST OF PREPARERS**

**MONO COUNTY PLANNING STAFF**

Bentley Regehr  
Gerry Le Francois

Contact Person  
Gerry Le Francois  
Mono County Community Development/Planning Division  
PO Box 347  
Mammoth Lakes, CA 93546  
760-924-1810  
[glefrancois@mono.ca.gov](mailto:glefrancois@mono.ca.gov)

**PROJECT ENGINEER**

Triad Engineering

**PROJECT SPONSOR**

Jon Head  
3D Housing Development  
1615 Tibidabo Drive  
Escondido, CA 92027-1061



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## **PART I: CEQA SECTION 15183**

### **CEQA Section 15183**

#### **I. INTRODUCTION**

The California Environmental Quality Act (CEQA) requires public agencies to consider the effects that development projects will have on the environment. California Public Resources Section 21083.3 and Section 15183 of the CEQA Guidelines mandate that projects that are consistent with the development density of existing land use, community plan or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects that are peculiar to the project or site.

Mono County has existing land use, community plan and general plan policies for which an EIR was certified;

The Mono County General Plan FEIR was certified in 2015 (SCH # 2014061029) including general plan policies for all required general plan elements.

The Mono County Planning Division has prepared an Initial Study checklist to determine whether there are project-specific significant effects that are peculiar to the project or to the site. As mandated by the CEQA Guidelines Section 15183, this checklist identifies whether environmental effects of the project:

1. Are peculiar to the project or the parcel on which the project would be located;
2. Were not analyzed as significant effects in a prior EIR on the land use, general plan, or community plan, with which the project is consistent;
3. If environmental effects are identified as peculiar to the project and were not analyzed in a prior EIR, are there uniformly applied development policies or standards that would mitigate the environmental effects;
4. Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the General Plan, community plan, or land use; or
5. Are there previously identified significant effects which, because of substantial new information that was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

Further examination of environmental effects related to the project is limited to those items identified in the checklist as meeting one of the above criteria.

#### **II. PROJECT INFORMATION**

1. Project Title: CUP 18-017 / Variance 18-001
2. Lead Agency Name and Address:

Mono County Community Development Department  
 Planning Division  
 P.O. Box 347  
 Mammoth Lakes, CA 93546

3. Contact Person and Phone Number: Gerry LeFrancois (760) 924-1810.
4. Project Location: The property is in June Lake on Howard Street. The Assessor Parcel Number (APN) is 015-103-022.
5. General Plan Land Use Designation: Multi Family Residential - High (MFR-H).
6. Description of Project:

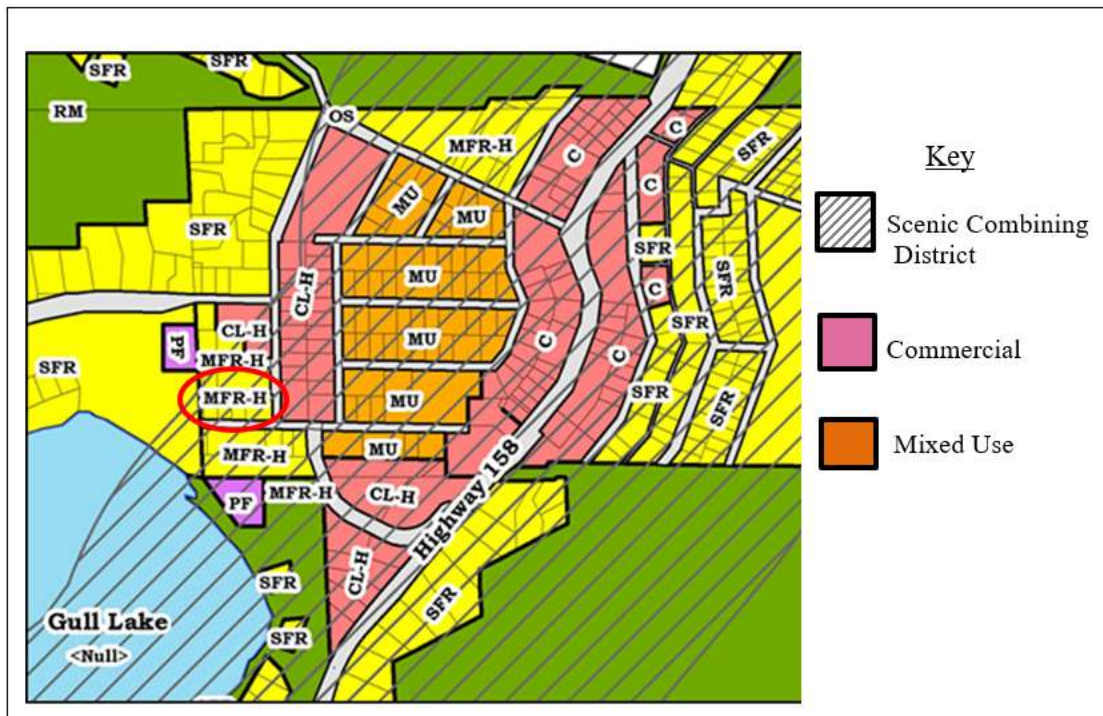
Conditional Use Permit 18-017 would allow construction of five housing units on 18,730 square feet (0.43 acres) parcel. Each unit is approximately 800 square feet in size.

Variance 18-001 will allow for a zero-foot setback from the top of the stream bank for two of the units and a paved parking area. The variance also allows for a 10-foot setback from the snow storage easement along Howard Avenue (the standard front setback is 20 feet).

The site is located west of the June Lake commercial core, near the Gull Lake marina. The project has a land use designation of Multi-Family Residential – High (MFR-H) which allows for and encourages higher density development. Parcels located directly north and east of the property are designated Commercial Lodging High, including the Gull Lake Lodge across Howard Avenue. Public amenities in the immediate vicinity include the June Lake Library, Community Center, and Gull Lake Park.

The property takes access from Howard Avenue with parking access from Bruce Street.

**Figure 1 - June Lake Land Use Map**



7. Surrounding Land Uses

The surrounding uses include:

- East: Private Land – vacant lot and single-family home
- West: Private Land – multifamily housing
- South: Private Land – vacant lot and single-family homes
- North: Private Land – commercial lodging and single-family home

8. Physical Characteristics of the Property

**Access:**

Main access is from Howard Avenue with additional parking and foot access from Bruce Street.

**Utilities:**

Existing utilities have enough capacity to serve the proposed use. All new utility extensions will be installed underground. The applicant will obtain a "will serve" letter from the June Lake Fire Protection District and June Lake Public Utilities District.

Utilities will be provided as follows:

- Water Supply: June Lake PUD
- Sewer: June Lake PUD
- Fire Protection: June Lake FPD
- Electricity: Southern California Edison (underground)
- Telephone: Frontier (underground)
- School: Eastern Sierra Unified School District



Project Location – Howard Ave. and Bruce

Figure 3 Site Plan – 3D Housing Project

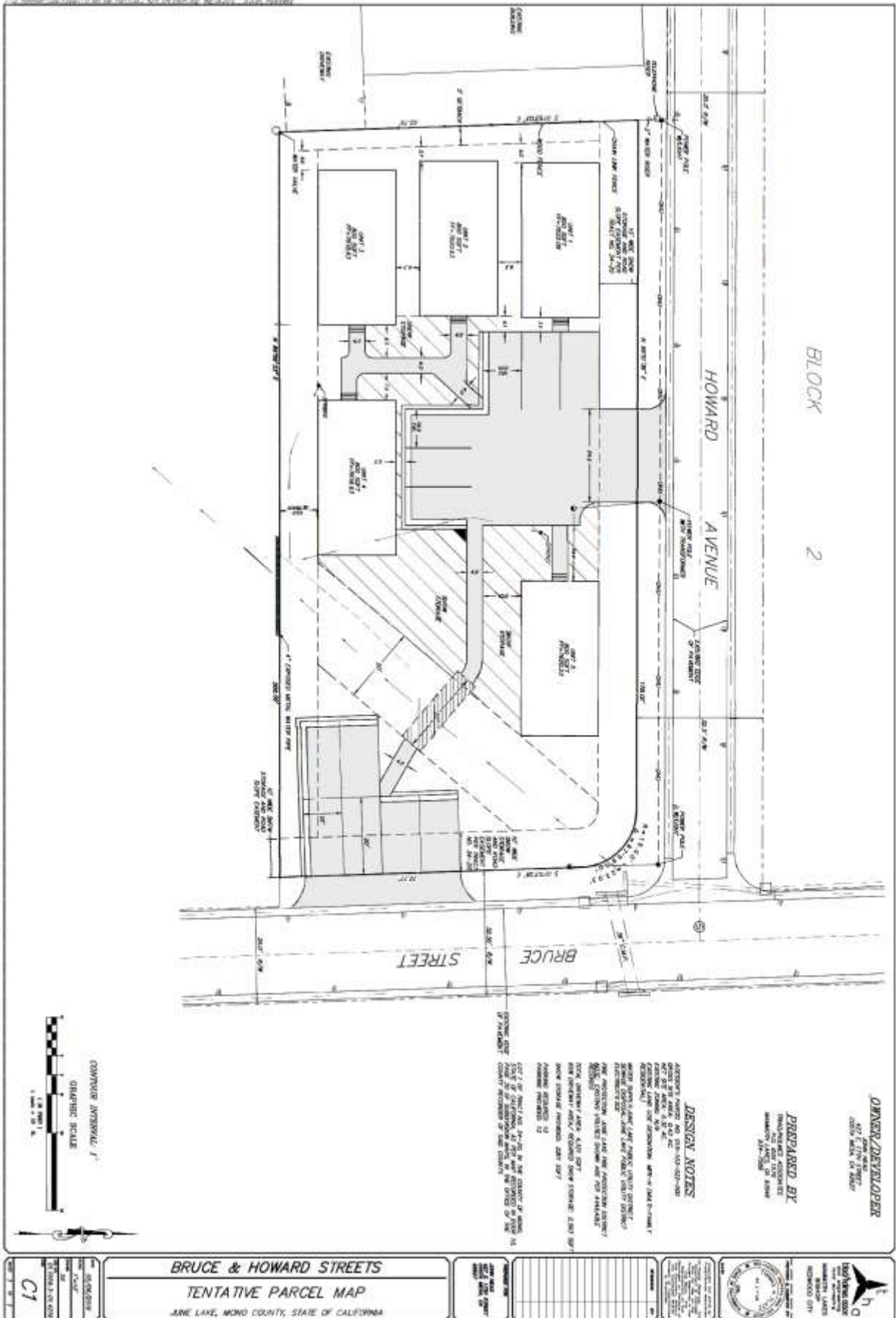




Figure 4 3D Housing Building Placement on site – looking south to southwest



**Photo 1**



**Photo 2**



**III. PROJECT COMPLIANCE WITH SECTION 15183**

The project site is designated Multi Family Residential - High (MFR-H) in the Mono County General Plan. The MFR-H district is intended to provide for development of multi-family units in community areas. The MFR-H designation is further intended to provide for single-family residences, manufactured homes, accessory structures and home occupations to name some of the permitted uses in this designation (Appendix 1). The proposed development is also consistent with the June Lake Area Plan policies contained in of the Mono County General Plan Land Use Element as contained in the staff report.

**IV. IMPACT ANALYSIS**

The following CEQA section 15183 is based on Public Resources Code Section 21083.3 and Section 15183 of the CEQA Guidelines. The checklist assesses potential environmental impacts to determine whether they meet requirements for assessment under Section 15183; i.e.,

1. Are potential impacts peculiar to the project or parcel?
2. Were the impacts addressed in a previously certified EIR?
3. If an impact is peculiar to the project and was not addressed in a prior EIR, are there uniformly applied development policies or standards that would mitigate the impact?
4. Are there potentially significant cumulative or offsite impacts that were not discussed in the prior EIR?
5. Is there substantial new information to show that a potential impact would be more significant than previously described?

| Issues & Supporting Information Sources |  | Impact potentially peculiar to the project or parcel? | Was the impact addressed in the prior EIR? | If peculiar and not addressed, are there uniformly applied development policies or standard that would mitigate? | Potentially significant cumulative or off-site impacts not discussed in the prior EIR? | Substantial new information showing impact more significant than previously described? |
|---|--|---|--|--|--|--|
| <b>I. LAND USE and PLANNING.</b>        |  |   |  |  |  |  |
| Would the project:                      |  |   |  |  |  |  |
| a)                                      | Physically divide an established community?  | No  | Yes  | N/A  | No   | No   |
| b)                                      | Cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?                                | No  | Yes  | N/A  | No   | No   |
| <b>II. POPULATION and HOUSING</b>       |  |   |  |  |  |  |
| Would the project:                      |  |   |  |  |  |  |
| a)                                      | Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | No  | Yes  | N/A  | No   | No   |
| b)                                      | Displace substantial number of existing people or housing, necessitating the construction of replacement housing elsewhere?  | No  | Yes  | N/A  | No   | No   |

|   |      | <b>Issues &amp; Supporting Information Sources</b>  | Impact potentially peculiar to the project or parcel? | Was the impact addressed in the EIR? | If peculiar and not addressed, are there uniformly applied development policies or standard that would mitigate? | Potentially significant cumulative or off-site impacts not discussed in the prior EIR? | Substantial new information shows impact more significant than previously described? |
|---|------|---|---|--------------------------------------|--|--|--|
| <b>III. GEOLOGY AND SOILS.</b>          |      |   |   |                                      |  |  |  |
| Would the project:                      |      |   |   |                                      |  |  |  |
|   | a)   | Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:   | No  | Yes                                  | N/A  | No   | No   |
|   | i)   | Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | No  | Yes                                  | N/A  | No   | No   |
|   | ii)  | Strong seismic ground shaking?  | No  | Yes                                  | N/A  | No   | No   |
|   | iii) | Seismic-related ground failure, including liquefaction?   | No  | Yes                                  | N/A  | No   | No   |
|   | iv)  | Landslides?   | No  | Yes                                  | N/A  | No   | No   |
|   | b)   | Result in substantial soil erosion or the loss of topsoil?  | No  | Yes                                  | N/A  | No   | No   |
|   | 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  | Yes                                  | N/A  | No   | No   |
|   | d)   | Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?  | No  | Yes                                  | N/A  | No   | No   |
|   | e)   | Have soils incapable of adequately supporting the use of septic tanks or alternative waste disposal systems where sewers are not available for the disposal of wastewater?  | No  | Yes                                  | N/A  | No   | No   |
|   | f)   | Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?  | No  | Yes                                  | N/A  | No   | No   |
| <b>IV. HYDROLOGY and WATER QUALITY.</b> |      |   |   |                                      |  |  |  |
| Would the project:                      |      |   |   |                                      |  |  |  |
|   | a)   | Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?  | No  | Yes                                  | N/A  | No   | No   |
|   | b)   | Substantially decrease groundwater supplies or interfere substantially with ground water recharge such that the project may impede sustainable groundwater management of the basin?   | No  | Yes                                  | Yes  | No   | No   |
|   | c)   | Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:   | No  | Yes                                  | N/A  | No   | No   |
|   | i)   | Result in substantial erosion or siltation on- or off-site?   | No  | Yes                                  | N/A  | No   | No   |

|   | <b>Issues &amp; Supporting Information Sources</b>   | Impact potentially peculiar to the project or parcel? | Was the impact addressed in the EIR? | If peculiar and not addressed, are there uniformly applied development policies or standard that would mitigate? | Potentially significant cumulative or off-site impacts not discussed in the prior EIR? | Substantial new information shows impact more significant than previously described? |
|---|--|---|--------------------------------------|--|--|--|
| ii)   | Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?  | No  | Yes                                  | N/A  | No   | No   |
| iii)  | 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: or        | No  | Yes                                  | N/A  | No   | No   |
| d)  | In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?   | No  | Yes                                  | N/A  | No   | No   |
| e)  | Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?   | No  | Yes                                  | N/A  | No   | No   |
| <b>V. AIR QUALITY.</b>  |  |   |                                      |  |  |  |
| Where available, the significant criteria established by the applicable air quality management district 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  | Yes                                  | N/A  | No   | No   |
| b)  | Result in a cumulatively considerable net increase of any criteria pollutant for which the project area is non-attainment under an applicable federal or state ambient air quality standard? | No  | Yes                                  | N/A  | No   | No   |
| c)  | Expose sensitive receptors to substantial pollutant concentrations?  | No  | Yes                                  | N/A  | No   | No   |
| d)  | Result in other emissions such as those leading to odors adversely affecting a substantial number of people?   | No  | Yes                                  | N/A  | No   | No   |
| <b>VI. TRANSPORTATION.</b>  |  |   |                                      |  |  |  |
| Would the project:  |  |   |                                      |  |  |  |
| a)  | Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?   | No  | Yes                                  | N/A  | No   | No   |
| b)  | Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? VMTs  | No  | Yes                                  | N/A  | No   | No   |
| c)  | Substantially increase hazards due to a geometric design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?                                  | No  | Yes                                  | N/A  | No   | No   |
| d)  | Result in inadequate emergency access?   | No  | Yes                                  | N/A  | No   | No   |

|  |    | <b>Issues &amp; Supporting Information Sources</b>  | Impact potentially peculiar to the project or parcel? | Was the impact addressed in the EIR? | If peculiar and not addressed, are there uniformly applied development policies or standard that would mitigate? | Potentially significant cumulative or off-site impacts not discussed in the prior EIR? | Substantial new information shows impact more significant than previously described? |
|--|----|---|---|--------------------------------------|--|--|--|
| <b>VII. BIOLOGICAL RESOURCES.</b>          |    |   |   |                                      |  |  |  |
| Would the project:                         |    |   |   |                                      |  |  |  |
|  | a) | Has 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 CA Dept. of Fish and Wildlife or US Fish and Wildlife Service? | No  | Yes                                  | N/A  | No   | No   |
|  | b) | Have substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CA Dept. of Fish and Wildlife or US Fish and Wildlife Service?  | No  | Yes                                  | N/A  | No   | No   |
|  | c) | Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?   | No  | Yes                                  | N/A  | No   | No   |
|  | 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 nursesey sites?  | No  | Yes                                  | N/A  | No   | No   |
|  | e) | Conflict with any local policies or ordinances protecting biological resource, such as a tree preservation policy or ordinance?   | No  | Yes                                  | N/A  | No   | No   |
|  | 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  | Yes                                  | N/A  | No   | No   |
| <b>VIII. ENERGY and MINERAL RESOURCES.</b> |    |   |   |                                      |  |  |  |
| Would the project:                         |    |   |   |                                      |  |  |  |
|  | a) | Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during construction or operation?  | No  | Yes                                  | N/A  | No   | No   |
|  | b) | Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?  | No  | Yes                                  | N/A  | No   | No   |
|  | c) | Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the state?  | No  | Yes                                  | N/A  | No   | No   |
|  | d) | Result in the loss of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?  | No  | Yes                                  | N/A  | No   | No   |



| Issues & Supporting Information Sources     |  | Impact potentially peculiar to the project or parcel? | Was the impact addressed in the EIR? | If peculiar and not addressed, are there uniformly applied development policies or standard that would mitigate? | Potentially significant cumulative or off-site impacts not discussed in the prior EIR? | Substantial new information shows impact more significant than previously described? |
|---|--|---|--------------------------------------|--|--|--|
| <b>IX. HAZARDS and HAZARDOUS MATERIALS.</b> |  |   |                                      |  |  |  |
| Would the project:                          |  |   |                                      |  |  |  |
| a)  | Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?   | No  | Yes                                  | N/A  | No   | No   |
| b)  | Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?   | No  | Yes                                  | N/A  | No   | No   |
| c)  | Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1 / 4 mile of an existing or proposed school?   | No  | Yes                                  | N/A  | No   | No   |
| d)  | Be located on a site which is included on a list of hazardous material sites compiled pursuant to Govt. Code 65962.5 and, as a result, would it create a significant hazard to the public or the environment?  | No  | Yes                                  | N/A  | No   | No   |
| e)  | For a project located within an airport land use plan or, where such a plan has not been adopted, with two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?                         | No  | Yes                                  | N/A  | No   | No   |
| f)  | Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?   | No  | Yes                                  | N/A  | No   | No   |
| g)  | Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?   | No  | Yes                                  | N/A  | No   | No   |
| <b>X. NOISE.</b>                            |  |   |                                      |  |  |  |
| Would the project result in:                |  |   |                                      |  |  |  |
| a)  | Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?   | No  | Yes                                  | N/A  | No   | No   |
| b)  | Generation of excessive groundborne vibration or groundborne noise levels?   | No  | Yes                                  | N/A  | No   | No   |
| c)  | For a project located within the vicinity of a private airstrip or 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  | Yes                                  | N/A  | No   | No   |

| Issues & Supporting Information Sources    |  | Impact potentially peculiar to the project or parcel? | Was the impact addressed in the EIR? | If peculiar and not addressed, are there uniformly applied development policies or standard that would mitigate? | Potentially significant cumulative or off-site impacts not discussed in the prior EIR? | Substantial new information shows impact more significant than previously described? |
|--|--|---|--------------------------------------|--|--|--|
| <b>XI. PUBLIC SERVICES.</b>                |  |   |                                      |  |  |  |
| a)   | Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | No  | Yes                                  | N/A  | No   | No   |
| i)   | Fire protection?   | No  | Yes                                  | N/A  | No   | No   |
| ii)  | Police protection?   | No  | Yes                                  | N/A  | No   | No   |
| iii)                                       | Schools?   | No  | Yes                                  | N/A  | No   | No   |
| iv)  | Parks?   | No  | Yes                                  | N/A  | No   | No   |
| v)   | Other public facilities?   | No  | Yes                                  | N/A  | No   | No   |
| <b>XII. UTILITIES and SERVICE SYSTEMS.</b> |  |   |                                      |  |  |  |
| Would the project:                         |  |   |                                      |  |  |  |
| a)   | Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?  | No  | Yes                                  | N/A  | No   | No   |
| b)   | Have enough water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?   | No  | Yes                                  | N/A  | No   | No   |
| c)   | 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  | Yes                                  | N/A  | No   | No   |
| d)   | Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?   | No  | Yes                                  | N/A  | No   | No   |
| e)   | Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?  | No  | Yes                                  | N/A  | No   | No   |

| Issues & Supporting Information Sources  |   | Impact potentially peculiar to the project or parcel? | Was the impact addressed in the EIR? | If peculiar and not addressed, are there uniformly applied development policies or standard that would mitigate? | Potentially significant cumulative or off-site impacts not discussed in the prior EIR? | Substantial new information shows impact more significant than previously described? |
|--|---|---|--------------------------------------|--|--|--|
| <b>XIII. AESTHETICS.</b>   |   |   |                                      |  |  |  |
| Except as provided in Public Resources Code Section 21099, would the project:  |   |   |                                      |  |  |  |
| a)   | Have a substantial adverse effect on a scenic vista?  | No  | Yes                                  | N/A  | No   | No   |
| b)   | Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?   | No  | Yes                                  | N/A  | No   | No   |
| c)   | Substantially degrade the existing visual character or quality public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point)          | No  | Yes                                  | N/A  | No   | No   |
| d)   | Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?  | No  | Yes                                  | N/A  | No   | No   |
| <b>XIV. CULTURAL RESOURCES.</b>  |   |   |                                      |  |  |  |
| Would the project:   |   |   |                                      |  |  |  |
| a)   | Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines 15064.5?  | No  | Yes                                  | Yes  | No   | No   |
| b)   | Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines 15064.5?   | No  | Yes                                  | N/A  | No   | No   |
| c)   | Disturb any human remains, including those interred outside of formal cemeteries?   | No  | Yes                                  | N/A  | No   | No   |
| <b>XV. RECREATION.</b>   |   |   |                                      |  |  |  |
| a)   | Would the project 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  | Yes                                  | N/A  | No   | No   |
| 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  | Yes                                  | N/A  | No   | No   |
| <b>XVI. GREENHOUSE GASES</b>   |   |   |                                      |  |  |  |
| a)   | Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?  | No  | Yes                                  | N/A  | No   | No   |
| b)   | Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?   | No  | Yes                                  | N/A  | No   | No   |
| <b>XVII. WILDFIRE</b>  |   |   |                                      |  |  |  |
| If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project: |   |   |                                      |  |  |  |

| Issues & Supporting Information Sources   |   | Impact potentially peculiar to the project or parcel? | Was the impact addressed in the EIR? | If peculiar and not addressed, are there uniformly applied development policies or standard that would mitigate? | Potentially significant cumulative or off-site impacts not discussed in the prior EIR? | Substantial new information shows impact more significant than previously described? |
|---|---|---|--------------------------------------|--|--|--|
| a)  | Substantially impair an adopted emergency response plan or emergency evacuation plan?   | No  | Yes                                  | N/A  | No   | No   |
| b)  | Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?   | No  | Yes                                  | N/A  | No   | No   |
| c)  | Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?   | No  | Yes                                  | N/A  | No   | No   |
| d)  | Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?  | No  | Yes                                  | N/A  | No   | No   |
| <b>XVIII. TRIBAL CULTURAL RESOURCES</b>   |   |   |                                      |  |  |  |
| Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC 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 CA Native American tribe, and that is:   |   |   |                                      |  |  |  |
| a)  | Listed or eligible for listing in the CA Register of Historical Resources, or in a local register of historical resources as defined in PRC 5020.1(k), or   | No  | Yes                                  | N/A  | No   | No   |
| 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 PRC 5024.1. In applying the criteria set forth in subdivision (c) of PRC 5024.1, the lead agency shall consider the significance of the resource to a CA Native American tribe. | No  | Yes                                  | N/A  | No   | No   |
| <b>XIX. AGRICULTURE and FORESTRY RESOURCES</b>  |   |   |                                      |  |  |  |
| In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the CA Agricultural Land Evaluation and Site Assessment Model (1997) prepared by Dept of Conservation. In determining whether impacts to forest resources and timberland resources are significant environmental effects, lead agencies may refer to information compiled by the CA Dept of Forestry and Fire Protection. Would the project: |   |   |                                      |  |  |  |
| a)  | Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on maps prepared for Farmland Mapping and Monitoring Program, to non-agricultural use?   | No  | Yes                                  | N/A  | No   | No   |

| Issues & Supporting Information Sources       |   | Impact potentially peculiar to the project or parcel? | Was the impact addressed in the EIR? | If peculiar and not addressed, are there uniformly applied development policies or standard that would mitigate? | Potentially significant cumulative or off-site impacts not discussed in the prior EIR? | Substantial new information shows impact more significant than previously described? |
|---|---|---|--------------------------------------|--|--|--|
|   |   |   |                                      |  |  |  |
| b)  | Conflict with existing zoning for agricultural use, or a Williamson Act contract?   | No  | Yes                                  | N/A  | No   | No   |
| c)  | Conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned timberland Production?  | No  | Yes                                  | N/A  | No   | No   |
| d)  | Result in the loss of forest land or conversion of forest land to non-forest use?   | No  | Yes                                  | N/A  | No   | No   |
| e)  | Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?   | No  | Yes                                  | N/A  | No   | No   |
|   |   |   |                                      |  |  |  |
| <b>XX. MANDATORY FINDINGS OR SIGNIFICANCE</b> |   |   |                                      |  |  |  |
| a)  | Does the project have the potential to substantially 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, substantially 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  | Yes                                  | N/A  | No   | No   |
| 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  | Yes                                  | N/A  | No   | No   |
| c)  | Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?  | No  | Yes                                  | N/A  | No   | No   |
|   |   |   |                                      |  |  |  |

## V. DISCUSSION OF ENVIRONMENTAL IMPACTS

### INTRODUCTION

Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 mandate that when a parcel has been zoned to accommodate a particular density of development and an environmental impact report was certified for that zoning or planning action, subsequent environmental review of a project consistent with that prior action shall be limited to those effects from the project that are peculiar to the parcel or the site unless substantial new information indicates that the effect will be more significant than previously described or there are potentially significant off-site or cumulative impacts not discussed in the prior EIR.

In determining whether an effect is peculiar to the project or the parcel, Public Resources Code Section 21083.3 and the CEQA Guidelines Section 15183 state that *an effect shall not be considered peculiar to the project if it can be substantially mitigated by uniformly applied development policies or standards that have previously been adopted by the County with a finding that the policies or standards will substantially mitigate that environmental effect when applied to future projects* (unless substantial new information shows that the policies or standards will not substantially mitigate the environmental effect).

Potential effects peculiar to this project will be limited since the project is being developed in a residential, multi-family residential, and commercial area of June Lake. Most (if not all) of the effects of the project were identified in the EIRs certified by the County in conjunction with the adoption and update of the Mono County General Plan and are not unique or peculiar to the proposed project.

The area is suitable for multifamily development with utilities that have enough capacity for the project already in place. The potential environmental effects of the project are in conformance with the requirements of the CEQA Guidelines Section 15183.

### 1) LAND USE and PLANNING

#### **Compliance with General Plan, Area Plan, and Land Use Designation**

The parcel is designated Multi Family Residential – High (MFR-H). The intent of MFR-H is to encourage multifamily units by allowing for higher population densities and to provide for commercial lodging facilities. Permitted uses subject to a Conditional Use Permit include: Condominiums, cooperatives, townhomes, cluster developments, and apartments containing four or more units.

The project is consistent with the surrounding residential, multi-family residential, and commercial land uses of the proposed project, and consistent with the General Plan and June Lake Area Plan, including the policies below.

#### **Mono County Land Use Element, Countywide Land Use Policies**

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

*Action 1.A.1.a.* Encourage infill development in existing communities and subdivisions. New residential subdivisions should occur within or immediately adjacent to existing community areas.

*Action 1.A.1.b.* New residential development for permanent year-round residents should be concentrated in existing community areas.



Development is within an existing commercial, and multi-family neighborhood. The project is aimed at providing five long-term housing units to permanent residents in the June Lake community.

Policy 1.A.2: Assure that adequate public services and infrastructure are available to serve planned development.

*Action 1.A.2.a.* Require that necessary services and facilities, including utility lines, are available or will be provided as a condition of approval for proposed projects.

*Action 1.A.2.b.* Require that new development projects adjacent to existing communities be annexed into existing service districts, where feasible.

The project site is equipped with the necessary infrastructure. No improvements to services or facilities are required.

### **June Lake Area Plan Policies**

**Goal 13:** Develop June Lake into a moderately sized, self-contained, year-round community.

**Objective 13.C:** Contain growth in and adjacent to existing developed areas.

Policy 13.C.1: Encourage compatible development in existing and adjacent to neighborhood areas.

*Action 13.C.1.b.* Encourage compatible infill development in the Village and Down Canyon areas.

*Action 16.A.1.a.* Developers, as a condition of approval, shall obtain written confirmation from the June Lake Public Utility District or other local public utility operators that adequate water supply and sewage treatment capacity exist.

The project is contained within an existing residential neighborhood in the heart of the June Lake community and has convenient access to services. The housing units are projected to provide long-term housing for June Lake residents.

**Goal 14.** Provide residents and visitors with quality housing, a wide array of housing alternatives designed to promote unique experiences, and year-round housing stock; and promote adequate affordable housing.

**Objective 14.A:** Ensure future development projects mitigate impacts to the local housing stock.

Policy 14.A.3: Mono County, where feasible, shall work with developers and the June Lake community in constructing and maintaining affordable housing for residents.

Policy 14.A.4: Promote year-round housing types and housing for low- and moderate- income households.

The project is intended to provide long-term housing that is affordable to the June Lake workforce. General Plan Amendment 19-01 reduced barriers to higher density for this and future similar projects by eliminating minimum lot sizes for Multi-Family Residential, High parcels, assuming building code and land use requirements can be met.

The project is consistent with the surrounding residential and multifamily land uses of the proposed project.

**DETERMINATION**

- The land use and planning impacts of the proposed development were analyzed in the FEIRs certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the land use and planning impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site land use and planning impacts from the proposed project that were not addressed in the prior FEIR.

**2) POPULATION and HOUSING**

The Land Use Designation is Multi Family Residential – High (MFR-H). The density for parcel APN 015-103-022, located in June Lake, technically allows construction of six housing units on 18,730 square feet (0.43 acres) parcel, and the project is only proposing five units. Each of the units are approximately 800 square feet in size.

Five units of long-term housing on this parcel results in a density of one unit per 3,746 square feet of lot area. The MFR-H designation allows one unit per 2,904 square feet of lot area.

Project is consistent **June Lake Area Plan Policies** discussed under Land Use Planning section previously.

**Mono County Housing Element Program**

Program 1:11 Implement housing policies contained in area plans, such as the workforce housing and density bonus policies of the June Lake Area Plan.

Responsible Agencies: CDD

Timeframe: 2014, Ongoing

Funding: Application Fees, Grants

Actions: Regularly update RPACs on Area Plan housing policies. In 2014 extract regulations from Area Plans and move into new section of Land Use Element.

**DETERMINATION**

- The population and housing impacts of the proposed density of development were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan and in a 2019 Addendum to the FEIR for General Plan Amendment 18-01.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the population and housing impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site population and housing impacts from the proposed project that were not addressed in the FEIR.

### 3) GEOLOGY and SOILS

All Mono County has been designated Seismic Zone 4, the zone of greatest hazard defined in the Uniform Building Code. Consequently, new construction in the county must comply with stringent engineering and construction requirements (Government Code §8875). Project is not in an Alquist – Priolo Earthquake Zone (Appendix 5).

The exposure of people and improvements to unreasonable risks of damage or injury from earthquakes and other geologic hazards as required by Mono County General Plan policies are mitigated and addressed through required project compliance with the California Building Code requirements through building permits with the Building Division.

#### **Mono County Safety Element Countywide Policies**

**Goal 1, Geologic Hazards**, avoid the exposure of people and improvements to unreasonable risks of damage or injury from earthquakes and other geologic hazards.

**Objective 1.A**, direct development to occur in a manner that reduces the risks of damage and injury from known earthquake and geologic hazards to acceptable levels.

#### **Land Use Element—Countywide Policy**

**Objective G** prevent the exposure of people and property to unreasonable risks by limiting development on hazardous lands.

The project site is not in a High-Risk Ground Failure Area (MEA Figure 34I, Seismic Hazards), nor in a Rockfall Risk Area (MEA Figure 35I).

The project site is subject to ash accumulations of 5 to 8 inches from an eruption of the Long Valley Caldera (MEA Figure 22, Volcanic Hazards). The Safety Element of the Mono County General Plan, Chapter VI contains goals, policies and implementation measures designed to reduce the risk from locally significant natural hazards to an acceptable level.

The applicant will be required to submit a soils report or process a soils report waiver for expansive soils. Any such report or waiver will be reviewed and approved by the Director of Public Works, according to the provisions of Mono County Code (MCC) Section 17.36.090. Single-family-residential development is not expected to cause erosion and sedimentation impacts.

The Mono County General Plan and the Mono County Grading Ordinance (Mono County Code, Chapter 13.08) contain uniformly applied erosion control policies and standards designed to prevent erosion and sedimentation impacts from construction activities.

#### **DETERMINATION**

- The geologic impacts of the proposed density of development were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that geologic impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site geologic impacts from the proposed project that were not addressed in the FEIR.

#### 4) HYDROLOGY and WATER QUALITY

The project is not altering the drainage channel on site. The project has been designed with on-site retention (dry wells) to reduce runoff and erosion. The project is subject to Mono County Code Chapter 13.08 Land Clearing, Earthwork, and Drainage Facilities and a preliminary grading plan has been prepared.

In addition, the property is in FEMA Zone A (Panel 06051C1125D). A Flood Study (Appendix 2) has been prepared for the project site to determine Base Flood Elevation (BFE) and necessary compliance with Mono County General Plan Chapter 21 Flood Plain Regulations to protect structures and residents from potential impacts. Flood compliance will be verified at the building permit application phase.

### WATER RESOURCES AND WATER QUALITY

#### Conservation/Open Space Element – Goal 3, Water Resources

GOAL 3: Ensure the availability of adequate surface and groundwater resources to meet existing and future domestic, agricultural, recreational, and natural resource needs in Mono County.

Action 3.B.5.a. Require new developments to be served by existing water providers, where feasible, rather than creating new service entities.

#### DETERMINATION

- The water resources impact of the proposed density of development were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the impacts of the project on water will be more severe than described in the FEIR.
- There are no cumulative or off-site water resources impacts from the proposed project that were not addressed in the FEIR.

#### 5) AIR QUALITY

The proposed residential uses are not expected to expose sensitive receptors to pollutants or to create any objectionable odors other than wood smoke. Conditions of Approval for Conditional Use Permit 18-017 require all new wood-burning devices to be Phase II EPA certified in compliance with policies in of the Mono County General Plan that address the use of wood-burning devices in new construction.

Mono County is non-attainment for ozone, but the source is the Central Valley, and prevailing winds then transport the ozone into Mono County. The air quality plan for ozone management is to reduce ozone emissions in the Central Valley, and therefore the project is not in conflict with the adopted plan.

#### PUBLIC HEALTH AND SAFETY & AIR QUALITY

Goal 23. Achieve and maintain excellent air quality, water quality, and noise quality such that public health and the environmental character of the county is protected.

Policy 23.A.6. Reduce emissions from wood-burning appliances.

Action 23.A.6.a. Require that all new wood-burning appliances be Phase II EPA certified.

#### **DETERMINATION**

- The air quality impacts of the proposed density of development were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the impacts of the project on air quality will be more severe than described in the FEIR.
- There are no cumulative or off-site impacts on air quality from the proposed project that were not addressed in the FEIR.

#### **6) TRANSPORTATION AND CIRCULATION**

| <b>Proposed Uses</b>     | <b>No. of Units</b> | <b>Trip Rate Per Use</b> | <b>Total Trips Projected/Day</b> |
|--------------------------|---------------------|--------------------------|----------------------------------|
| Apartment / Multi Family | 5                   | 6.47/unit                | 30.47                            |

Trip rate per use are from: Trip Generation, 5th Edition, Institute of Transportation Engineers, 1991.

Trips assume 6.4 trips per day for each unit or a total of 30.47 trips for the project. Access is from Howard Avenue with parking along Bruce Street. The project area is within a residential and commercial area of June Lake. Current traffic volume on the existing street network is low and provides pedestrian and bicycle access to the commercial area of June Lake Village. This level of 30 additional vehicle trips per day per unit for this project is not considered to be significant on the June Lake Village circulation network. This project is an infill project of five new housing units. The project is within walking or bicycling distance of commercial and business services in June Lake Village.

Mono County General Plan, Land Development Regulations, Chapter 06, Development Standards—Parking requires all multiple-family dwellings to provide two on-site parking spaces per residence. This project complies with this standard.

#### **DETERMINATION**

- The traffic and circulation impact of the proposed density of development were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the traffic and circulation impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site traffic and circulation impacts from the proposed project that were not addressed in the FEIR.

## 7) BIOLOGICAL RESOURCES

The project site is within the developed community of June Lake. There is drainage way with vegetation along the eastern portion of the site. This ditch or drainage course carries water from June Lake down through the project site to Gull Lake.

The applicant met on site with representatives of the California Department of Fish and Wildlife and corresponded the US Army Corp of Engineers. The project does not impact jurisdictional waters or streambeds by design. Agency comments are attached in Appendix 3.

A Biological Assessment for the Unincorporated Communities of Mono County was completed as part of the FEIR in 2015. No known sensitive plant populations at June Lake were uncovered in the literature search, and the likelihood of occurrence sensitive species on this parcel is low. Sensitive species are more likely to occur in open sagebrush scrub immediately northeast of the Village area, in steep and rocky outcrops, and wetlands or wet meadows.

### OPEN SPACE ELEMENT – OPEN SPACE SECTION

Objective 1.A. Preserve existing open space.

Policy 1.A.1. Concentrate development in existing communities in order to preserve large expanses of open space.

Action 1.A.1.a. Implement policies in the Land Use Element that promote development in existing communities.

### BIOLOGICAL SECTION

GOAL 2. Maintain an abundance and variety of vegetation, aquatic and wildlife types in Mono County for recreational use, natural diversity, scenic value, and economic benefits.

Action 2.A.1.c. Consult with and honor the permitting and regulatory authority of state and federal agencies, including the US Army Corps of Engineers, the USFWS, CDFW, and the State Water Resources Control Board, regarding wetlands and waterways.

Action 2.A.1.d. Native vegetation is strongly encouraged for landscaping, erosion control, or other purposes. Use of non-native vegetation shall require an assessment and mitigation of the effects of the introduced species, and in no case shall invasive non-native species be approved.

### DETERMINATION

- The biological resources impact of the proposed density of development were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the biological impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site biological impacts from the proposed project that were not addressed in the FEIR.

## 8) ENERGY and MINERAL RESOURCES

All future construction will be required to meet the requirements California Building Code including and not limited to Title 24, Part 2, Chapter 2-53 Energy Efficiency Standards according to Mono

County Code 15.04.111. While an incremental demand upon existing energy service or resources is expected, it is not expected to be significant. Southern California Edison will provide electrical service to the proposed development.

The project is in the June Lake Village and mining of mineral resources would be incompatible within the community. No known minerals resources exist on the project site.

#### **DETERMINATION**

- The energy and mineral resource impacts of the proposed density of development were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the energy and mineral resource impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site energy and mineral resource impacts from the proposed project that were not addressed in the FEIR.

#### **9) HAZARDS**

The project will utilize individual propane tanks that must be installed according to all applicable codes and Mono County Code 15.04.056. All future multi-family residential development will be required to comply with the Mono County Fire Safe Regulations (Mono County Land Development Regulations, Chapter 22). The development of multi-family residences on the property will not interfere with Mono County's Standardized Emergency Management System (SEMS) Plan (1997). The proposed project will provide adequate access for emergency vehicles. The development of single-family residences is not expected to create health hazards. There are no known health hazards in the project area to which homeowners could be exposed.

#### **DETERMINATION**

- The hazards impact of the proposed density of development were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the hazards impact of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site hazards impacts from the proposed project that were not addressed in the FEIR.

#### **10) NOISE**

Construction-related noise impacts may cause some temporary disturbance. While future residential development will increase use of the project area and ambient noise levels, multi-family residential uses are not typically high noise-generating sources. No significant long-term noise impacts are anticipated from the multi-family residential uses. Project conditions direct that noise levels during construction be kept to a minimum by equipping all on-site equipment with noise attenuation devices and by compliance with all requirements of the county's Noise Ordinance (Mono County Code, Chapter 10.16).



**DETERMINATION**

- The noise impacts of the proposed density of development were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that noise impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site noise impacts from the proposed project that were not addressed in the FEIR.
- Noise impacts from the proposed project that were not addressed in the FEIR.

**11) PUBLIC SERVICES**

Existing utilities have enough capacity to serve the proposed use. All new utility extensions will be installed underground. The project is located within the June Lake Fire Protection District and will be required to comply with FPD regulations and the county's Fire Safe Regulations (Mono County Land Development Regulations, Chapter 22). The applicant will obtain a "will serve" letter from the June Lake Fire Protection District and June Lake Public Utilities District.

Police protection is provided by the Mono County Sheriff's Department. Existing personnel should be able to serve the minimal requirements of this parcel map.

The Eastern Sierra Unified School District collects impact fees at the time of building permit issuance to mitigate future impacts.

**DETERMINATION**

- The public service impacts of the proposed density of development were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the public service impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site public service impacts from the proposed project that were not addressed in the FEIR.

**12) UTILITIES AND SERVICE SYSTEMS**

The project will utilize individual propane tanks that must be installed according to all applicable codes and Mono County Code 15.04.056. Telephone and electrical service is available on the property; future service extensions must be installed underground in compliance with Mono County General Plan policies. Solid waste disposal will be provided by companies. Mono County landfill facilities are not expected to be impacted by the proposed project. While an incremental demand upon existing energy service or resources is expected, it is not expected to be significant. Southern California Edison will provide electrical service to the proposed development. The applicant will obtain a "will serve" letter from the June Lake Fire Protection District and June Lake Public Utilities District.

The project is not altering the drainage channel on site. The project has been designed with on-site retention (dry wells) to reduce runoff and erosion. The project is subject to Mono County Code Chapter 13.08 Land Clearing, Earthwork, and Drainage Facilities and a preliminary grading plan has been prepared.

#### **DETERMINATION**

- The utilities and service systems impact of the proposed density of development were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the utilities and service systems impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site utilities and service systems impacts from the proposed project that were not addressed in the FEIR.

#### **13) AESTHETICS**

The project site is not located adjacent to a county or state scenic highway. It is in a developed community area, with numerous buildings and development. The development of additional multi-family residential housing will not substantially degrade the visual quality of the surrounding area.

Utility line extensions will be installed underground in compliance with Mono County General Plan policies and the Land Development Regulations. The project is subject to the Dark Sky Ordinance found in Chapter 23 of the Mono County General Plan. Approval of the Conditional Use Permit 18-017 limit outside lighting to that necessary for health and safety reasons and require it to be designed and maintained to minimize its effects on surrounding uses.

#### **VISUAL RESOURCES CONSERVATION/OPEN SPACE ELEMENT – VISUAL RESOURCES**

Policy 20.C.2. Future development shall be sited and designed to be in scale and compatible with the surrounding community and/or natural environment.

#### **DETERMINATION**

- The aesthetic impacts of the proposed density of development were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the aesthetic impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site aesthetic impacts from the proposed project that were not addressed in the FEIR.

#### **14) CULTURAL RESOURCES**

California Health and Safety Code 7050.5 states in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the

coroner of the County inspects the site. Furthermore, California Public Resources code states upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed. No known historical or archaeological resources have been identified with the June Lake Village area.

The conditions of approval for the use permit reflect these requirements. No disturbance of an archaeological site is permitted until the applicant hires a qualified consultant and an appropriate report that identifies acceptable site mitigation measures is filed with the county Planning Division.

#### **DETERMINATION**

- The cultural resource impacts of the proposed density of development were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the impacts of the project on cultural resources will be more severe than described in the FEIR.
- There are no cumulative or off-site impacts from the proposed project on cultural resources that were not addressed in the FEIR.

#### **15) RECREATION**

The addition of multi-family residences will only minimally increase the demand for local and regional park facilities. The project will not affect existing recreational opportunities since it is in a developed community area and is adjacent to the Gull Lake Park, June Lake Community Center, and Library. Numerous recreational opportunities occur within June Lake and Mono County on surrounding public lands.

#### **DETERMINATION**

- The recreation impacts of the proposed density of development were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the impacts of the project on recreation will be more severe than described in the FEIR.
- There are no cumulative or off-site impacts from the proposed project on recreation that were not addressed in the prior EIR.

#### **16) GREENHOUSE GAS EMISSIONS**

Mono County prepared a Resource Efficiency Plan (REP) in 2014, which outlines strategies to reduce GHG emissions and increase resource efficiency, resulting in a more sustainable community (Mono County, 2014). The REP includes a GHG emissions inventory for Mono County and proposes actions to help the state achieve GHG reduction targets. The goals, objectives, policies, and actions presented in the REP were structured to be and, for the most part, were subsequently incorporated into the Mono County General Plan. The goals, objectives, policies, and actions adopted in the General Plan

identify ways for Mono County to encourage and support private and public entities to implement methods that ultimately reduce GHG emissions.

The impacts of the proposed project on air quality and greenhouse gases would be considered significant if emissions would exceed the following standards of significance, in accordance with Appendix G of the CEQA Guidelines and the CAPCOA threshold selected by the lead agency:

- a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, by exceeding 900 MT CO<sub>2</sub>e per year
- b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases

Based on the “Howard Avenue/Bruce Street Residential Project Greenhouse Gas Emissions Impact Report,” the proposed project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. In addition, the proposed project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

The Howard Avenue/Bruce Street Residential Project Greenhouse Gas Emissions Impact Report, May 2019, by Panorama Environmental is included in Appendix 4.

#### **DETERMINATION**

- The GHG impacts of the proposed density of development were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the impacts of the project on GHG will be more severe than described in the FEIR.
- There are no cumulative or off-site impacts from the proposed project on GHG that were not addressed in the prior EIR.

#### **17) WILDFIRE**

All future multi-family residential development will be required to comply with the Mono County Fire Safe Regulations (Mono County Land Development Regulations, Chapter 22). The development of multi-family residences on the property will not interfere with Mono County's Standardized Emergency Management System (SEMS) Plan (1997). The proposed project will provide adequate access for emergency vehicles, is not on located on a steep slope and or require the installation or maintenance of emergency water supplies or fuel breaks. The applicant will obtain a "will serve" letter from the June Lake Fire Protection District and June Lake Public Utilities District.

#### **DETERMINATION**

- The wildfire or other hazardous impacts of the proposed density of development were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that wildfire or other hazardous impacts of the project will be more severe than described in the FEIR.

- There are no cumulative or off-site wildfire hazardous impacts from the proposed project that were not addressed in the FEIR.

### **18) TRIBAL CULTURAL RESOURCES**

California Health and Safety Code 7050.5 states in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the County inspects the site. Furthermore, California Public Resources code states upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed. No known historical or archaeological resources have been identified with the June Lake Village area.

The conditions of approval for the use permit reflect these requirements. No disturbance of an archaeological site is permitted until the applicant hires a qualified consultant and an appropriate report that identifies acceptable site mitigation measures is filed with the county Planning Division.

#### **DETERMINATION**

- The cultural resource impacts of the proposed density of development were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the impacts of the project on cultural resources will be more severe than described in the FEIR.
- There are no cumulative or off-site impacts from the proposed project on cultural resources that were not addressed in the FEIR.

### **19) AGRICULTURAL and FORESTRY**

The project is infill development of five new housing units located within the developed community of June Lake Village. This project will not lead to the conversion of Prime Farmland or Timberland Production. See Figure 2, Photos 1 & 2.

#### **DETERMINATION**

- The agricultural and forestry resource impacts of the proposed development were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the impacts of the project on agricultural and forestry resources will be more severe than described in the FEIR.
- There are no cumulative or off-site impacts from the proposed project on agricultural and forestry resources that were not addressed in the FEIR.

**20) MANDATORY FINDINGS of SIGNIFICANCE**

The construction and use of this five-unit housing project would not result in significant impacts to habitat of fish or wildlife species or threaten to eliminate a plant or animal community. No important examples of major CA prehistoric or historic periods are known to occur on the project site.

This is an infill residential project and there are no other reasonably foreseeable future projects in June Lake Village or in the vicinity of the project site. No cumulatively considerable impacts would occur.

Mono County General Plan policies, regulations, uniformly applied conditions are required as a part of this projects approval(s) and mitigates impacts to humans.

***Conclusion***

As discussed above in sections 1)-19), the project would not substantially degrade the quality of the environment, impact plant or animal communities, or impact historic or prehistoric resources. The project would not result in cumulatively considerable impacts on the environment and would not result in significant impacts on human beings.

**VI. DETERMINATION**

Based on this initial evaluation:

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

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project and/or revisions in the project have been made by or agreed to by the project proponent. **A NEGATIVE DECLARATION WILL BE PREPARED.**

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

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

**I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR 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, and uniformly applied development standards are required.**

Date: May 16, 2019

Gerry Le Francois

Printed Name

Gerry Le Francois

Signature



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## PART II: REFERENCES

### REFERENCES CONSULTED

Institute of Transportation Engineers

**Trip Generation**, 5th Edition. 1991.

Average Vehicle Trip Ends / Dwelling Unit (Apartment 220) p.311

Mono County

**Mono County Code**. Chapter 13.03. Land Clearing, Earthwork and Drainage Facilities.

Mono County Local Transportation Commission

**Mono County Regional Transportation Plan**. 2015.

Mono County Planning Division.

**Mono County General Plan, including the Land Development Regulations**. 2015.

**Mono County General Plan Environmental Impact Report**. 2015.

**Mono County General Plan Environmental Impact Report**. 2015.

**Mono County Master Environmental Assessment**. 2000.

## PART III: APPENDICES

### APPENDIX 1

Multi Family Residential Land Use Designation

### APPENDIX 2

Flood Study for Bruce Street and Howard Avenue  
June Lake, Mono County, California

### APPENDIX 3

Correspondence

- California Department of Fish and Wildlife
- US Army Corps of Engineers

### APPENDIX 4

GHG Analysis – Panorama Environmental

160  
**Mono County**  
**Community Development Department**

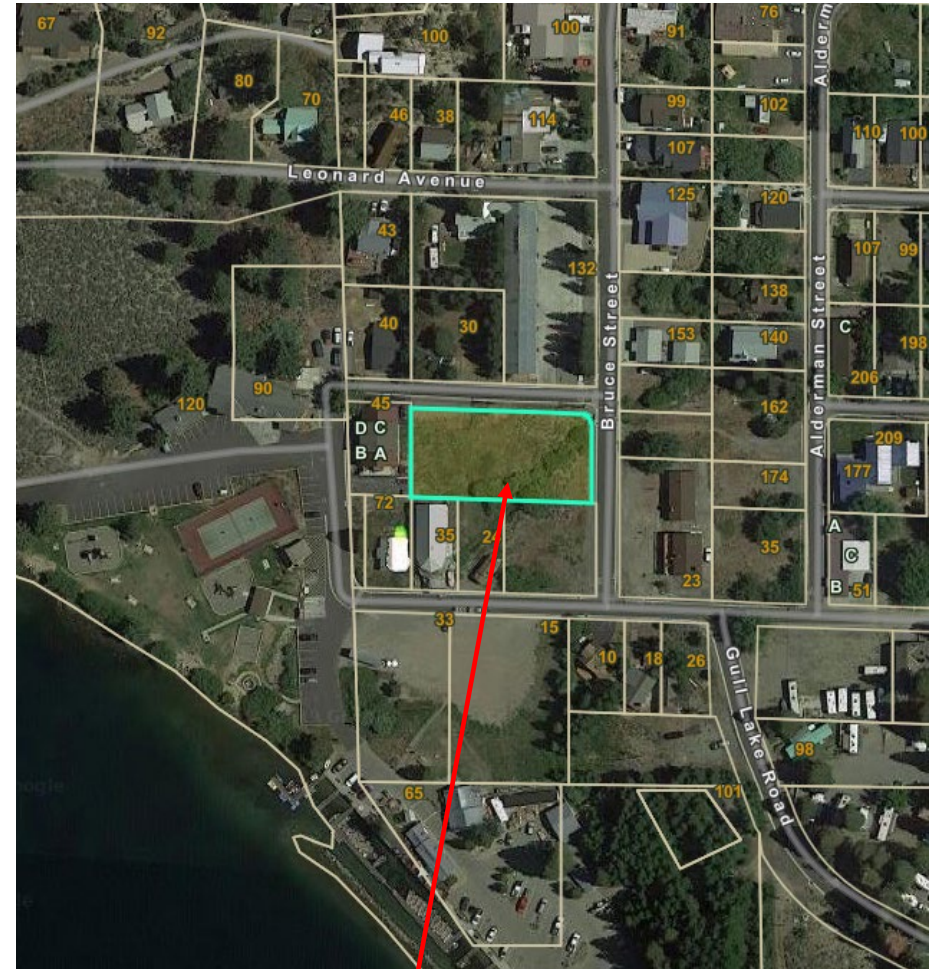
PO Box 347  
Mammoth Lakes, CA 93546  
(760) 924-1800, fax 924-1801  
commdev@mono.ca.gov

PO Box 8  
Bridgeport, CA 93517  
(760) 932-5420, fax 932-5431  
[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that Mono County Planning Commission will conduct a public hearing **May 16, 2019** in the Board of Supervisors Chambers, Mono County Courthouse, Bridgeport, CA, to consider the following: **10:50 a.m. VARIANCE AND CONDITIONAL USE PERMIT 18-017 / 3D Housing Development:** Conditional Use Permit 18-017 proposes a five-unit housing project on the corner of Howard Ave. and Bruce St., June Lake. Each unit is approximately 800 square feet. Variance 18-001 is requesting a zero setback from the top of a bank for two units and a portion of the parking area. The watercourse runs along the eastern portion of the project site. The parcel is 0.43 acres in size (APN 015-103-022) and has a land use designation of Multi-Family Residential High (MFR-H). A CEQA exemption 15183 is proposed. INTERESTED PERSONS may appear before the Planning Commission to present testimony or, prior to or at the hearing, file written correspondence with: Secretary to the Planning Commission, PO Box 347, Mammoth Lakes, CA 93546.

For additional information contact:  
Bentley Regehr, Planning Analyst  
PO Box 347  
Mammoth Lakes, CA 93546  
(760) 924-4602  
bregehr@mono.ca.gov



Project Location – Howard Ave. and Bruce St.

**Multi-Family Residential, Low (MFR-L), Moderate (MFR-M), High (MFR-H)**

**INTENT: The “MFR-L” designation is intended to provide for low-density multifamily residential development, such as duplexes and triplexes.**

**The “MFR-M” designation is intended to encourage long-term multifamily housing by allowing for higher population densities and by not allowing commercial lodging facilities; i.e., hotels, motels.**

**The “MFR-H” designation is intended to encourage multifamily units by allowing for higher population densities and to provide for commercial lodging facilities; i.e., hotels, motels.**

**PERMITTED USES**

- Single-family dwelling
- Manufactured home used as a single-family dwelling<sup>1</sup> – MFR-L only <sup>c</sup>
- Duplexes and triplexes
- Accessory buildings and uses<sup>2</sup>
- Animals and pets (see Animal Standards Section 04.270)
- Home occupations (see Home Occupation regulations, Section 04.290)
- Small-scale agriculture
- Transitional and Supportive Housing<sup>6</sup>
- Outdoor cultivation of a maximum of six mature and 12 immature cannabis plants under the Compassionate Use Act.

**USES PERMITTED SUBJECT TO DIRECTOR REVIEW** (Director Review Processing, Ch. 31)

- MFR-L Model units
- None stated for MFR-M and MFR-H

**USES PERMITTED SUBJECT TO USE PERMIT** (Use Permit Processing, Ch. 32)

**MFR-L only**

- Short-term rentals (fewer than 30 consecutive days) in single-family residential units in compliance with Chapter 25 of the Land Development Regulations (set forth in Section VI of this Land Use Element) and with a valid Short-Term Rental Activity Permit and in compliance with all operational requirements of Chapter 5.65 of the Mono County Code and any applicable area plan policies (e.g., see June Lake Area Plan, see Objective 13.M.).

**MFR-L, MFR-M and MFR-H**

- Art galleries
- Quasi-public buildings and uses
- Public utility buildings and structures, not including service yards
- Country clubs and golf courses
- Condominiums, cooperatives, townhomes, cluster developments, apartments containing four or more units
- Parking lots and parking structures

**MFR-H only**

- Mobile-home parks (see Dev. Standards – Mobile Homes and RV Parks, Ch. 17)
- Recreational-vehicle parks (see Ch. 17)
- Social care facilities and related integrated professional offices
- Parking lots and parking structures when abutting a commercial district



In no case shall projects containing density bonuses exceed 26 units/acre. Units designated as manager/employee housing unit shall not be counted in density calculations.

**MFR-H**

Hotels, motels, bed-and-breakfast establishments, etc. – 40 units/acre

**Population Density:** Maximum population density is 37.6 persons per acre for multifamily dwellings.

**Maximum Building Height:** 35' See Table 04.010 for other provisions.

**Landscaping:** Projects subject to use permit shall submit a landscape site plan at the time of application. A minimum of 5% of the building site shall be landscaped in the MFR-L designation.

**NOTES**

1. Provided that the unit is fewer than 10 years old and meets the criteria set forth in Section 04.280. When there are two mobile homes on the same parcel, they must 1) comply with the Accessory Dwelling Unit requirements (see Ch. 16), or 2) comply with State standards for a mobile-home park and obtain a use permit from the County (see Ch. 17, Mobile Homes and RV Parks).
2. Accessory buildings and uses customarily incidental to any of the permitted uses are permitted only when located on the same lot and constructed simultaneously with or subsequent to the main building.
3. Densities stated are based upon availability of both community water and sewer.
4. Uses may have been omitted from the list of those specified, hence the Commission may find other uses to be similar and not more obnoxious or detrimental to the public health, safety and welfare. See explanation of interpreting "similar uses" (Ch. 04, Uses not listed as permitted).
5. Lots requiring individual septic systems are subject to minimum dimensions as determined by the Lahontan Regional Water Quality Control Board.
6. Transitional and Supportive Housing projects are permitted in the same manner as other residential housing.

**SEE ALSO**

**Land Development Regulations –**

- Ch. 03 Uses Permitted
- Ch. 04 Development Standards – General
- Ch. 06 Development Standards – Parking
- Ch. 07 Development Standards – Signs
- Table 04.010 Building Heights

**FOOTNOTES**

- c. Clarification

**APPENDIX 2** - complete study on file and available on request



**triad/holmes associates**  
civil engineering  
land surveying  
mammoth lakes • bishop • redwood city  
napa • san luis obispo

**FLOOD STUDY**  
for

**Bruce Street and Howard Avenue**  
**June Lake, Mono County, California**

**Prepared for:**

Jon Head  
427 E. 17<sup>th</sup> Street, #F247  
Costa Mesa, CA 92627

**Prepared by:**

Triad Holmes Associates  
P.O. Box 1570  
549 Old Mammoth Road, Suite 202  
Mammoth Lakes, CA 93546  
760.934.7588  
Thomas A. Platz, PE

**July 2018**

Thomas A. Platz



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## Appendices

### Appendix A

- Figure 1 – Vicinity Maps
- Figure 2 – June Lake Tributary Area
- Figure 3 – Site Tributary Area
- Figure 4 – Site Flood Limits

### Appendix B

- Hydrologic Calculations

### Appendix C

- Hydraulic Calculations (HEC RAS Output)

### Appendix D

- References



## 1. Introduction

This flood analysis is prepared for new residential development located southwest of the intersection of Bruce Street and Howard Avenue in June Lake, Mono County, California. Gull Lake is located approximately 400 feet southwest of the site. Refer to Figure 1, Appendix A for vicinity maps.

Five 800-square feet residential units will be developed as part of this project, on a single 0.43-acre lot. A paved parking and driveway will add 4,382 square feet of impervious surface. The lot is bounded by the Howard Avenue on the north, Bruce Street on the east, and residential developments on the south and west.

## 2. Project Background and Observations

The site has been investigated in the field, using the USGS maps and aerial topographic map. The proposed residential development is located between June Lake and Gull Lake with a ditch running northeast to southwest on the north side of Granite Avenue. The ditch is approximately 14 feet wide and 3 feet deep with the average slope of 2%. The storm water from the ditch enters a 40"x31" arch culvert on the north side of Granite Avenue and outlets approximately 100 feet northwest of Gull Lake. Refer to Figure 4, Appendix A for existing conditions.

An extensive Hydrologic Analysis (Analysis) for the flood flows in the ditch and the neighboring residential property (Higgins Residence) was performed by Triad Holmes Associates and approved by Mono County Public Works Department in July of 2008. The Higgins property is located on the north side of Granite Avenue with the above-mentioned ditch running through the property. The Analysis included the offsite runoff tributary directly to Higgins property and the outflow from June Lake. Base on the analysis, the outflow from June Lake during the storm of 100-year intensity contributes 20.5 cfs and the offsite runoff tributary to the site is 302.2 csf. Thus, the total runoff tributary to Higgins residence is 322.7 cfs. The Analysis is attached in Appendix D.

It is important to note that the Analysis for the Higgins property included a 30" culvert at the downstream end of the ditch under Granite Avenue. This culvert has been replaced with the 40"x31" culvert during the Mono County June Lakes Street Project, after the approval of the Higgins Hydrologic Analysis.

In addition to the Higgins Hydrologic Analysis, another flood analysis was completed in June 2017 and approved by Mono County for Keith Davis' residential property located at 20 Granite Avenue. Keith Davis Flood Analysis is attached in Appendix D and includes the information from the Higgins Hydrologic Analysis. Keith Davis property is located downstream (southwest) of the subject project and its tributary area encompasses the project site. Since the total tributary area to Keith Davis property is very similar to the tributary area for this project, the flow rates calculated in the Keith Davis Flood Analysis are used in this analysis.

Based on the FEMA Panel 06051C1125D, a portion of the site is in Zone D, and another portion is in Zone A. FEMA flood zones are delineated in Figure 4, Appendix A.

### **3. Objective**

The objective of this study is to determine Base Flood Elevation (BFE) through the site.

### **4. Hydrologic Analysis**

There are two tributary areas that contribute runoff to the project site – June Lake outflow and the large watershed southwest of the site, as shown in Figures 2 and 3, Appendix A, respectively.

#### **4.1 June Lake Outflow**

Based on the Hydrologic Analysis, as described in Section 2 above and attached in Appendix D, the outflow from June Lake that reaches the project site is 20.5 cfs. This is the maximum amount that can be conveyed in the existing 30" culvert under Knolls Road at the outlet of June Lake.

#### **4.2 Site Tributary Flow**

The site tributary area is based on the Keith Davis Flood Analysis, which states the following: "The site tributary area has been slightly enlarged to include the project site and a new runoff rate has been determined. The USGS 7.5-minute map and field observations were used to determine the 367-acre tributary watershed area (Area 1) for the site as shown in Figure 3, Appendix A. The Town of Mammoth Lakes 1984 Design Manual methodology was used to determine the runoff quantity tributary to the site. The runoff value is dependent on the Time of Concentration, intensity of the storm and soil type. Winter conditions were used for more conservative values. Refer to Appendix B calculations and graphs used to select data."

The runoff tributary to the site from Area 1 is 304.6 cfs during the storm of 100-year intensity. Refer to Table 1 below for all calculated runoff values.

### 4.3 Total Tributary Flow

The following Table 1 provides the total tributary flow to the site.

|                            | 2-year      | 5-year       | 20-year      | 50-year      | 100-year     |
|----------------------------|-------------|--------------|--------------|--------------|--------------|
| Runoff Tributary to Area 1 | 55.7        | 98.7         | 177.0        | 245.6        | 304.6        |
| Runoff Exiting June Lake   | 13.7        | 14.0         | 15.0         | 17.0         | 20.5         |
| <b>Total Runoff</b>        | <b>69.4</b> | <b>112.7</b> | <b>192.0</b> | <b>262.6</b> | <b>325.1</b> |

## 5. Hydraulic Analysis

The latest version of HEC-RAS software was used for the hydraulic analysis to determine the effects of the proposed development on the existing water surface elevation. The following is a summary of the hydraulic analysis. All calculations and tables are attached in Appendix C.

### 5.1 Existing Conditions

Centerline alignment of the ditch and the flood flows is defined from existing topography and entered into HEC-RAS software as the main channel reach. The reach is modeled starting from approximately 150 feet northeast of the project site, stretching downstream to the Shore of Gull Lake. The existing 40"x31" arch culvert is included in the HEC-RAS model, placed in the direction of the flow. Refer to Figure 4, Appendix A for the HEC-RAS schematic.

#### Existing HEC RAS Model

- The cross sections were entered for the 493 ft of the reach. Cross sectioned were spaced at no more than 25-foot intervals on site and at locations to maximize proper geometry of the channel. The culvert spans 214 feet and it is not possible to add cross sections within the culvert.
- The calculated runoff rates for the storm of 2-, 5-, 20-, 50-, and 100-year intensity were added to the model.
- Manning's n value of 0.04 was used for the channel and increased to 0.05 for the banks.
- A normal depth boundary based on the survey data was placed at each end of the reach.
- Subcritical flow profile runs were specified.
- The existing 40"x31" arch culvert was modeled in the direction of the flow.
- All other existing structures were added to the model.

The limits of the flood flows during the storm of 100-year intensity is shown in Figure 4, Appendix A. The flows spread over the intersection of Howard Street and Bruce Avenue, enter the ditch in the northeastern corner of the site, and stay within the banks of the ditch until the

southern portion of the site. The stormwater spreads approximately 25 feet to the northwest and reaches the southern edges of the two proposed onsite units.

The existing 40"x31" arch culvert constricts the flood flow downstream of the project site and creates a backflow over Higgins Residence and the southern portion of the project site at the elevation of 7611.8 feet, approximately 1 foot above the existing ground elevation.

## 5.2 Proposed Conditions

Proposed conditions are modeled based on the existing channel geography. Same parameters have been entered in to the HEC-RAS model. Refer to Figure 4, Appendix A for the proposed conditions.

### *Proposed HEC RAS Model*

- The cross sections were entered for the 493 ft of the reach, same as in existing conditions.
- The geometry of the channel and the cross sections were not modified for the proposed conditions.
- The calculated runoff rates for the storm of 2-, 5-, 20-, 50-, and 100-year intensity were added to the model, same as in existing conditions.
- Manning's n value of 0.04 was used for the channel and increased to 0.05 for the banks.
- A normal depth boundary based on the survey data was placed at each end of the reach.
- Subcritical flow profile runs were specified.
- The existing 40"x31" arch culvert was modeled in the direction of the flow.
- All other existing structures were added to the model, including the proposed units and the 22-foot-long bridge over the ditch.

During the proposed conditions, the water surface elevation at the project site did not change during the 100-year storm.

## 6. Conclusion

As shown in Figure 4, Appendix A, the 100-year floodplain reaches the southern edges of the two proposed units and the two parking spaces. The rest of the units and parking area remain outside of the 100-year flood limits. Any portion of the living structure must have the finished floor above the BFE. We recommend setting the finished floor elevation for all the units at least 2 feet above the adjacent BFE, as shown in Figure 4, Appendix A. Vertical supports will be allowed within the BFE when constructed in accordance with all applicable requirements. Owner of the site is to comply with FEMA and Mono County building requirements. If any inconsistencies exist between the requirements set forth in these documents, the more restrictive requirements shall apply.

The access to the site is via a proposed bridge over the existing ditch. The bottom of the structure shall be set a minimum of 1 foot above the 7613.8 BFE, at the elevation of 7814.8 feet. We recommend that the design length of the bridge to be a minimum of 22 feet, so that the bridge structure does not affect the flood limits.

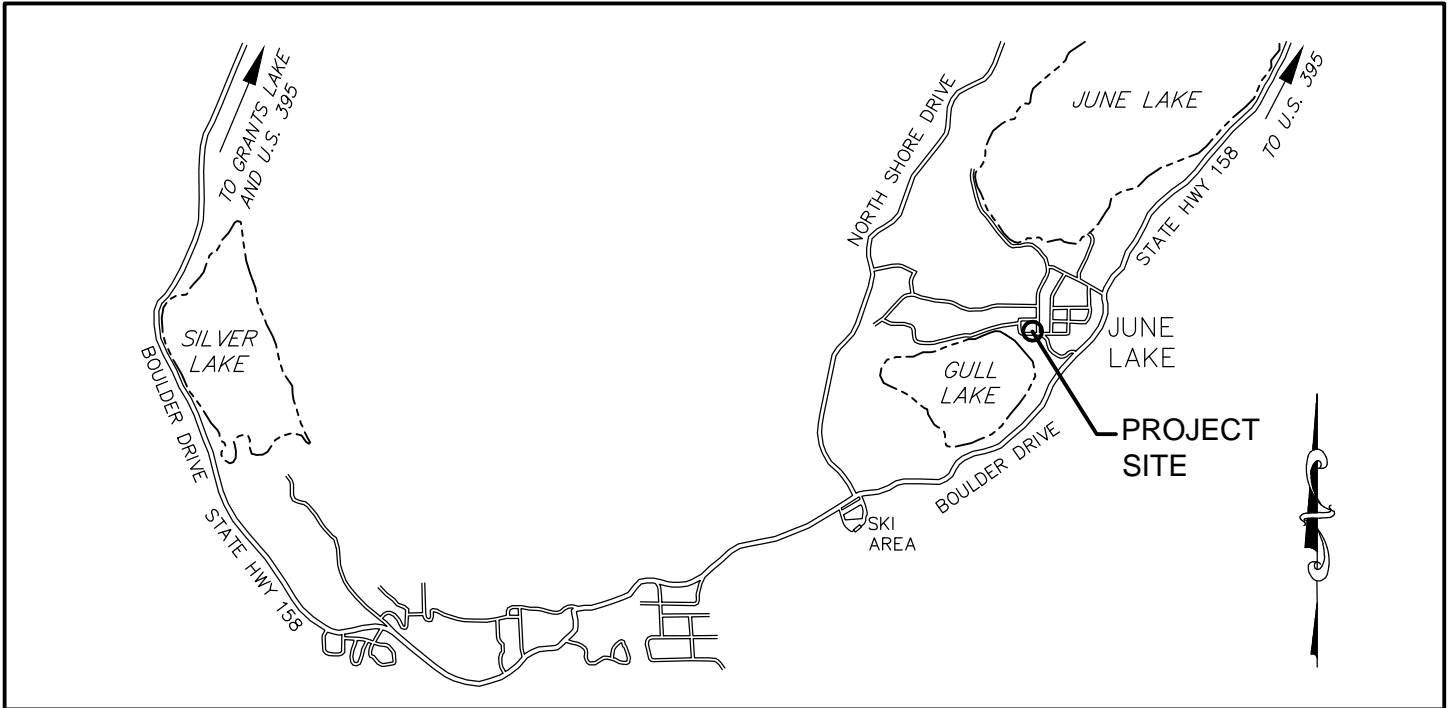
The calculations included in this report are preliminary. Facility design shall be finalized during the improvement plan preparation in accordance with the Mono County requirements in place at that time.

Prior to any work performed within the runoff conveyances or vegetated areas permits may be required from the Army Corp of Engineers, the Lahontan Regional Quality Control Board, and the State of California Fish and Wildlife.

This analysis was prepared for this site only and shall not be used for any other site or purposes without the express written authorization of the preparer.

## **Appendix A**

- Figure 1 – Vicinity Maps
- Figure 2 – June Lake Tributary Area
- Figure 3 – Site Tributary Area
- Figure 4 – Site Flood Limits



NOT TO SCALE

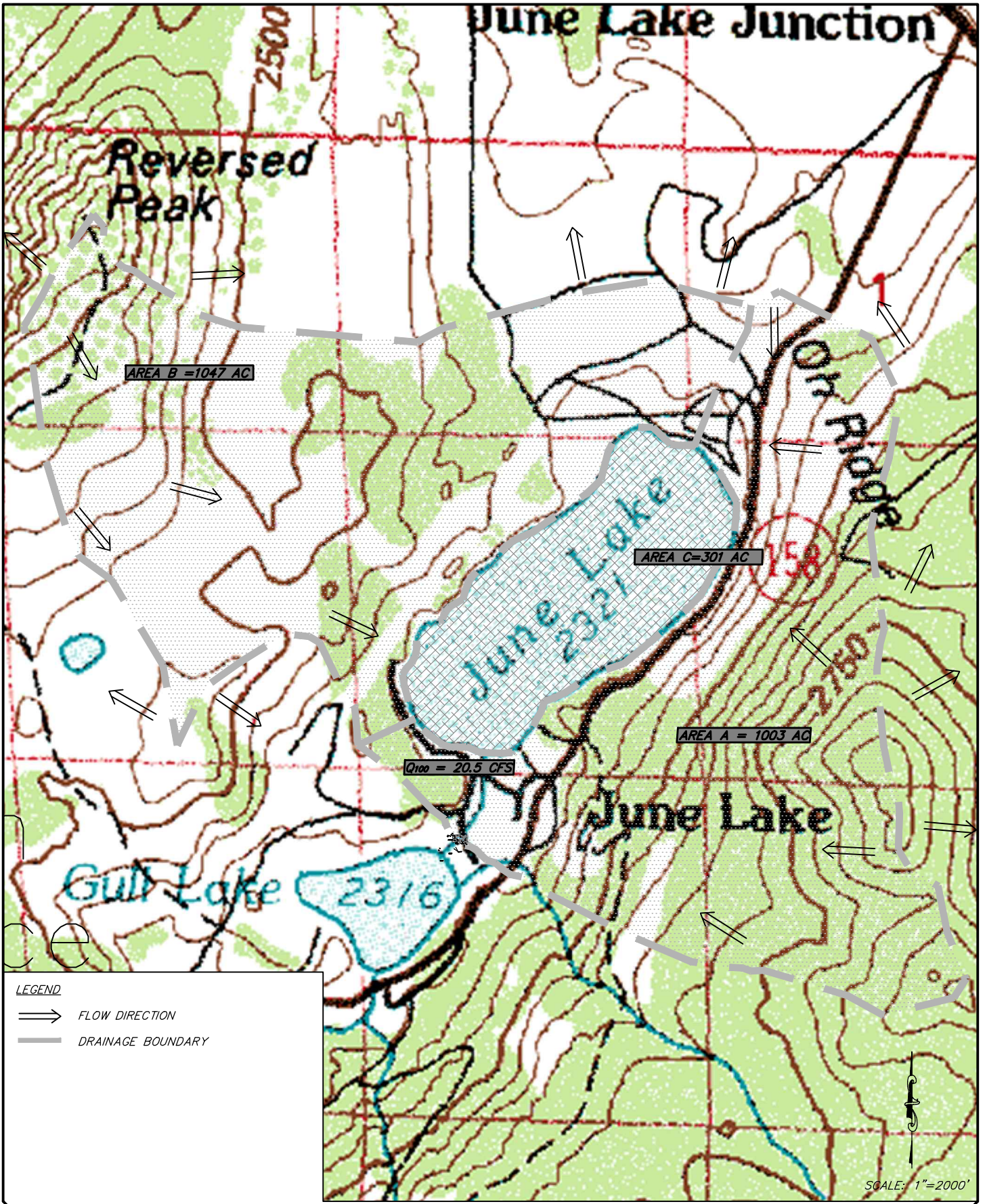
DATE:  
07/16/2018

**BRUCE STREET/HOWARD AVENUE, JUNE LAKE**

FLOOD ANALYSIS  
FIGURE 1 - VICINITY MAP





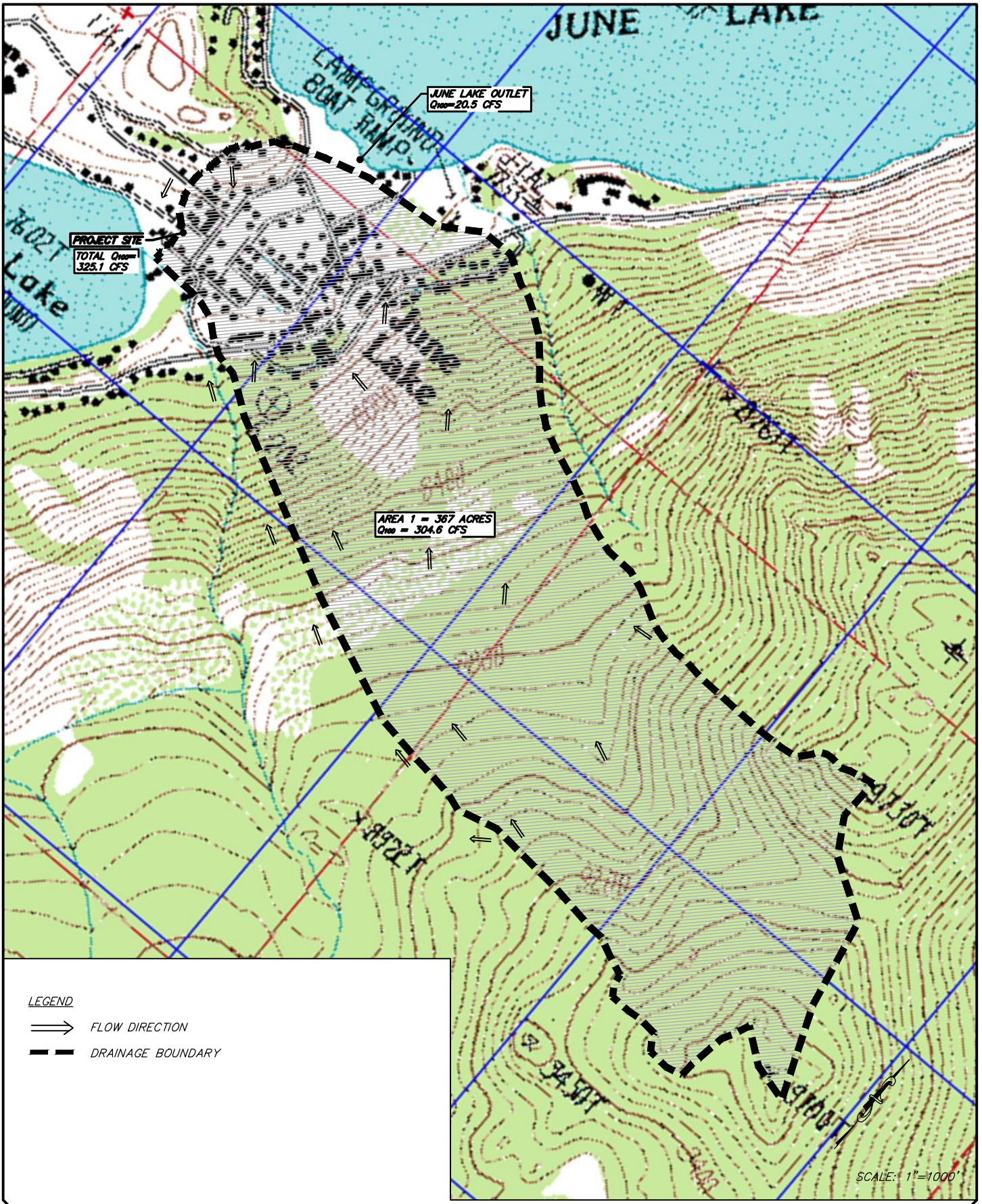


DATE:  
07/16/2018

**BRUCE STREET/HOWARD AVENUE, JUNE LAKE**  
FLOOD ANALYSIS  
FIGURE 2 - JUNE LAKE TRIBUTARY AREA





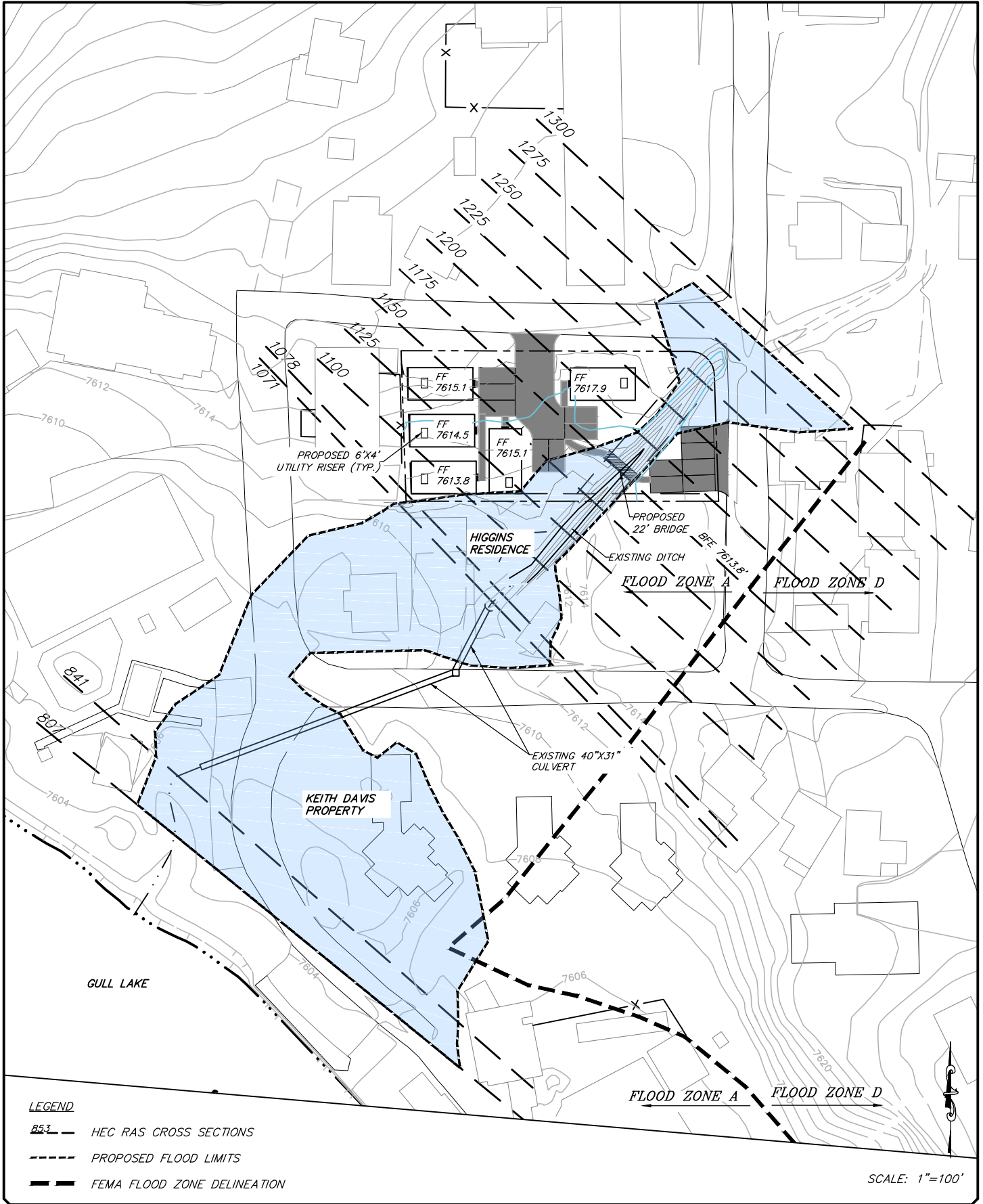


DATE:  
07/16/2018

**BRUCE STREET/HOWARD AVENUE, JUNE LAKE**  
FLOOD ANALYSIS  
FIGURE 3 – OFFSITE TRIBUTARY AREA







DATE:  
07/16/2018

### BRUCE STREET/HOWARD AVENUE, JUNE LAKE

### FLOOD ANALYSIS FIGURE 4 - SITE FLOOD LIMITS

SCALE: 1"=100'



-----Original Message-----

From: JR Head 27 [<mailto:jrhead27@gmail.com>]

Sent: June 1, 2018 7:11 PM

To: Hidalgo, Gerardo L CIV USARMY CESPL (US) <[Gerardo.L.Hidalgo@usace.army.mil](mailto:Gerardo.L.Hidalgo@usace.army.mil)>

Subject: [Non-DoD Source] Fwd: Howard/bruce@ June

Hi Gerry,

Please see the attached determination from Nick Buckmaster after an on site visit at the subject property AP 015-103-022-000 located at Howard Ave. & Bruce Street in June Lake. I am available to discuss our plans and meet you at the site if you feel the need to inspect the property and review our plans to avoid and enhance the water course.

Thank you

Jon Head

949-290-7003

Sent from my iPhone

Begin forwarded message:

From: "Buckmaster, Nick@Wildlife" <[Nick.Buckmaster@wildlife.ca.gov](mailto:Nick.Buckmaster@wildlife.ca.gov)>  
<<mailto:Nick.Buckmaster@wildlife.ca.gov>> >

Date: June 1, 2018 at 5:42:21 PM PDT

To: JR Head 27 <[jrhead27@gmail.com](mailto:jrhead27@gmail.com)> <<mailto:jrhead27@gmail.com>> >

Subject: RE: Howard/bruce@ June

Hi Jon,

My apologies, I was out of the office today. Your project plan, as we discussed on site May 9th, will avoid CDFW jurisdictional streambed located on the property, and, as a result, will not require notification to the department under Fish and Game Code section 1600. If you project plan changes substantially, please contact me to confirm that CDFW jurisdiction will be avoided.

Please contact me if you have any questions, and thank you for your efforts to coordinate.

Nick Buckmaster

California Dept. of Fish and Wildlife

760-872-1110

**Tom Platz**

---

**From:** JR Head 27 <jrhead27@gmail.com>  
**Sent:** Monday, June 4, 2018 11:46 AM  
**To:** tplatz@thainc.com  
**Subject:** Fwd: [Non-DoD Source] Fwd: Howard/bruce@ June (UNCLASSIFIED)

Tom could you please print a copy of this email  
 Thank you  
 Jon Heaf

Sent from my iPhone

Begin forwarded message:

**From:** "Hidalgo, Gerardo L CIV USARMY CESPL (US)" <Gerardo.L.Hidalgo@usace.army.mil>  
**Date:** June 4, 2018 at 11:14:38 AM PDT  
**To:** JR Head 27 <jrhead27@gmail.com>  
**Subject:** RE: [Non-DoD Source] Fwd: Howard/bruce@ June (UNCLASSIFIED)

CLASSIFICATION: UNCLASSIFIED

Hi Jon,

Based on the project plans and Google Earth aerial imagery I've preliminary determined that the proposed project would avoid the Corps jurisdiction. If you would like an official letter from the Corps regarding on whether a permit is not required please submit a No Permit Required request. Electronic submittal is fine. Thank you and please let me know if you have any questions.

Jerry Hidalgo  
 Project Manager  
 Regulatory Division, North Coast Branch  
 Los Angeles District, U.S. Army Corps of Engineers  
 Ventura, California  
[Gerardo.L.Hidalgo@usace.army.mil](mailto:Gerardo.L.Hidalgo@usace.army.mil)

Office: 805-585-2145 (temporarily disconnected)

\*\*\*The Ventura Field Office is moving! Through mid-June I will be unavailable via phone. The best way to reach me during this time is via email.\*\*\*

Building Strong  
<http://www.spl.usace.army.mil/Missions/Regulatory.aspx>

Assist us in better serving you!  
 You are invited to complete our customer survey, located at the following link:  
[http://corpsmapu.usace.army.mil/cm\\_apex/f?p=136:4:0](http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0)

Please save paper and submit all application materials under 15MB electronically via e-mail. For larger files, use the Corps' FTP site at <https://safe.amrdec.army.mil/safe/Default.aspx>.

APPENDIX 4 - Complete report is<sup>178</sup>  
upon request



Mono County

# Howard Avenue/Bruce Street Residential Project

## Greenhouse Gas Emissions Impact Report

May 2019

PANORAMA  
ENVIRONMENTAL, INC.

717 Market Street, Suite 650 San Francisco, CA 94103 650-373-1200 [www.panoramaenv.com](http://www.panoramaenv.com)

Mono County  
**Howard Avenue/Bruce Street  
Residential Project**  
Greenhouse Gas Emissions  
Impact Report

**May 2019**

Prepared for:  
Mono County Community Development Department  
437 Old Mammoth Road, Suite 220  
Mammoth Lakes, CA 93546

Prepared by:  
Panorama Environmental, Inc.  
717 Market Street, Suite 650  
San Francisco, CA 94103  
650-373-1200  
Susanne.heim@panoramaenv.com

**PANORAMA**  
ENVIRONMENTAL, INC.

717 Market Street, Suite 650 San Francisco, CA 94103 650-373-1200 [www.panoramaenv.com](http://www.panoramaenv.com)



## PURPOSE OF THIS REPORT

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This Greenhouse Gas Emissions Impact Report is prepared to support the proposed project's consistency with the Mono County General Plan and Resource Efficiency Plan (California Environmental Quality Act [CEQA] Guidelines Section 15183.5(b)(1)). The Mono County General Plan and Resource Efficiency Plan serve as Mono County's plan for the reduction of greenhouse gas emissions. The Mono County 2015 Regional Transportation Plan and General Plan Update Environmental Impact Report analyzed the impacts of implementing greenhouse gas reductions, as part of the Mono County General Plan and Resource Efficiency Plan. In accordance with CEQA Guidelines Section 15183.5(b)(1), this report will quantify the greenhouse gas emissions associated with the proposed project, establish a threshold, and determine whether the emissions associated with the proposed project would exceed the threshold.

## GREENHOUSE GAS EMISSIONS

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### SETTING

The project site is located in the census-designated place of June Lake, in Mono County, California. Mono County is within the Great Basin Valleys Air Basin (Basin) under the jurisdiction of the Great Basin Unified Air Pollution Control District (GBUAPCD).

### GHG THRESHOLDS OF SIGNIFICANCE

The GBUAPCD and Mono County have not established thresholds for greenhouse gas (GHG) emissions. However, if the lead agency does not have sufficient expertise in evaluating GHG impacts, thresholds adopted by an agency with greater expertise may be used (OPR, 2018).

In January 2008, the California Air Pollution Control Officers Association (CAPCOA) released a white paper, entitled *CEQA and Climate Change*, which examines various threshold approaches available to air districts and lead agencies for determining whether GHG emissions are significant, including a number of "non-zero" thresholds for land use development projects (CAPCOA, 2008). Projects in the Basin have used the numerical thresholds of the CAPCOA in prior CEQA reviews (e.g., the Inn at the Village Subsequent Environmental Impact Report, July 2014; Mammoth Creek Park West New Community Multi-Use Facilities Environmental Impact Report, December 2016). Therefore, in the absence of promulgated numeric thresholds, the most conservative (lowest) numerical threshold suggested by CAPCOA, 900 Metric Tons (MT) CO<sub>2</sub>

equivalent (CO<sub>2e</sub>) per year, is used as the threshold of significance for the proposed project. Based on guidance from the GBUAPCD and the Office of Planning and Research, project-related emissions were quantified and compared to the CAPCOA numerical threshold.

## MODELING ASSUMPTIONS AND METHODOLOGY

The project site is currently a vegetated, vacant lot. The proposed project would involve construction of five separate residential structures totaling 4,000 square feet. The asphalt parking areas and driveway would comprise 4,270 square feet and paved areas would comprise 730 square feet of the project site. The residences would be occupied by long-term renters.

Construction would begin July 1, 2019 and continue through October 30, 2019. Grading and site preparation would occur for a 1.5 months beginning July 1, 2019. Grading and site preparation would disturb 14,300 square feet of the project site. Approximately 400 cubic yards of soil would be removed from the site and 865 cubic yards of fill would be trucked in. The number of workers on the project site would average four to five workers per day, but could be higher during some phases.

These assumptions were modeled using the California Emissions Estimator Model (CalEEMod) version 2016.3.2. The five residences were modeled as a low-rise apartment complex. Default data was used for construction equipment, number of occupants<sup>1</sup>, and trip generation during construction and operation. Refer to Attachment A for the CalEEMod outputs.

## REGULATORY COMPLIANCE

### CEQA Guidelines

The impacts of the proposed project on air quality and greenhouse gases would be considered significant if it would exceed the following standards of significance, in accordance with Appendix G of the CEQA Guidelines and the CAPCOA threshold selected by the lead agency:

- a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, by exceeding 900 MT CO<sub>2e</sub> per year
- b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases

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<sup>1</sup> The average household size of renter-occupied units in the June Lake census-designated place is 2.26 persons per unit (U.S. Census Bureau, 2010), which is lower than the CalEEMod default of 2.86.

## ANALYSIS/RESULTS

The proposed project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

Construction and operation of the proposed project would result in generation of GHG emissions. The total emissions generated during construction and the amortized construction emissions are shown in Table 1. Air quality agencies recommend that construction activity GHG emissions be amortized over the useful life of a project. Assuming a 30-year life for the proposed project, the annual average GHG emissions from construction activities would be approximately 1.9 MT CO<sub>2</sub>e per year.

Direct sources of GHG emissions generated during operation of the proposed project would include:

- Project mobile sources—vehicle trips taken by the future residents, and
- Area sources—emissions from woodstoves and landscaping equipment.

Indirect sources of GHG emissions would include generation of energy and production of water consumed, as well as solid waste generated by the project. As shown in Table 1, total project GHG emissions would be GHG emissions generated by the proposed project would be a maximum of 70.6 MT CO<sub>2</sub>e during 1 year of operation, including amortization of construction. The project emissions would not exceed the significance threshold of 900 MT CO<sub>2</sub>e. The impact would be less than significant because the threshold would not be exceeded.

**Table 1 Project-Related Greenhouse Gas Emissions**

| Source                                | GHG Emissions (MT CO <sub>2</sub> e) |
|---------------------------------------|--------------------------------------|
| <b>Construction</b>                   | <b>One-Time</b>                      |
| 2019 Construction Activities          | 57.0                                 |
| <b>Operation</b>                      | <b>Annual</b>                        |
| Amortized Construction Over 30 Years  | 1.9                                  |
| Mobile                                | 48.2                                 |
| Area                                  | 7.6                                  |
| Energy                                | 10.5                                 |
| Waste                                 | 1.2                                  |
| Water                                 | 1.2                                  |
| <b>Total Annual GHG Emissions</b>     | <b>70.6</b>                          |
| CAPCOA Annual GHG Emissions Threshold | 900                                  |
| Exceeded?                             | No                                   |

**The proposed project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.**

### **Climate Change Scoping Plan**

**Overview.** The California Global Warming Solutions Act of 2006 directed the California Air Resources Board (CARB) to begin developing discrete early actions to reduce GHG emissions while also preparing the 2008 Climate Change Scoping Plan (2008 Scoping Plan). The Scoping Plan outlines a framework of measures that would eventually be adopted and implemented to reach AB 32 goals (CARB, 2016). Since the 2008 Scoping Plan, additional regulations have been adopted to increase GHG reductions, including the 50 percent Renewable Portfolio Standard by 2030 (SB 350). The 2017 Scoping Plan identifies actions the State of California should take to meet its climate change goals for each sector (i.e., energy, transportation, agriculture, water, waste management) (CARB, 2014). The 2017 Scoping Plan describes ongoing and proposed programs and policies to achieve the 2030 GHG target for several sectors (i.e., energy, transportation, industry, water, waste management, and natural and working lands) (CARB, 2017).

CARB prepared the Mobile Source Strategy, which addresses the current and proposed programs for reducing all mobile-source emissions, including GHG emissions. The Mobile Source Strategy identifies programs the State and federal government have or will adopt, which further the goals of the Scoping Plan.

**Project Compliance with Scoping Plan.** The vehicles used during construction of the proposed project are required to comply with the applicable GHG reduction programs for mobile sources in accordance with the 2017 Climate Change Scoping Plan to achieve the State's GHG reduction targets. The contractor who owns the equipment and vehicles is required to provide verification of compliance to CARB or the United States Environmental Protection Agency under State and federal law. The proposed project would conform with relevant programs and recommended actions detailed in the Scoping Plan and Mobile Source Strategy. The proposed project would not conflict with regulations adopted to achieve the goals of the Scoping Plan. No impact would occur.

### **Local Plans**

**Overview.** Mono County prepared the Resource Efficiency Plan (REP) in 2014, which outlines strategies to reduce GHG emissions and increase resource efficiency, resulting in a more sustainable community (Mono County, 2014). The REP includes a GHG emissions inventory for Mono County and proposes actions to help the state achieve GHG reduction targets. The goals, objectives, policies, and actions presented in the REP were structured to be and, for the most part, were subsequently incorporated into the Mono County General Plan. The goals, objectives, policies, and actions adopted in the General Plan identify ways for Mono County to encourage and support private and public entities to implement methods that ultimately reduce GHG emissions.

**Project Compliance with Local Plans.** The actions identified in the plans for Mono County to encourage and support energy efficiency and green building techniques do not require the

proposed project to incorporate any specific GHG reduction measures. The residences would be constructed in accordance with the latest California building requirements, including but not limited to those detailed in the Building Energy Efficient Standards for Residential and Nonresidential Buildings, which require the inclusion of many energy efficient features in new construction. The GHG emissions from the proposed project would not conflict with any local plans, and no impact from conflict with a local GHG reduction plan would occur.

## REFERENCES

CAPCOA. (2008, January). CEQA and Climate Change.

CARB. (2014, May). *First Update to the Climate Change Scoping Plan: Building on the Framework Pursuant to AB 32*. Retrieved November 10, 2016, from [http://www.arb.ca.gov/cc/scopingplan/2013\\_update/first\\_update\\_climate\\_change\\_scoping\\_plan.pdf](http://www.arb.ca.gov/cc/scopingplan/2013_update/first_update_climate_change_scoping_plan.pdf)

CARB. (2016, June 17). *California Greenhouse Gas Emission Inventory 2000-2014 – Trends of Emissions and Other Indicators*. Retrieved 2016

CARB. (2017, November). California's 2017 Climate Change Scoping Plan.

Mono County. (2014, August). Mono County Resource Efficiency Plan.

OPR. (2018, December). Discussion Draft CEQA and Climate Change Advisory.

U.S. Census Bureau. (2010). *Profile of General Population and Housing Characteristics: 2010 - June Lake CDP*. Retrieved from American FactFinder: <https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>

June Lake Development - Mono County, Annual

**5.2 Energy by Land Use - NaturalGas**

**Unmitigated**

|                     | NaturalGas Use | ROG                | NOx                | CO                 | SO2                | Fugitive PM10 | Exhaust PM10       | PM10 Total         | Fugitive PM2.5 | Exhaust PM2.5      | PM2.5 Total        | Bio- CO2      | NBio- CO2     | Total CO2     | CH4                | N2O                | CO2e          |
|---------------------|----------------|--------------------|--------------------|--------------------|--------------------|---------------|--------------------|--------------------|----------------|--------------------|--------------------|---------------|---------------|---------------|--------------------|--------------------|---------------|
| Land Use            | kBTU/yr        | tons/yr            |                    |                    |                    |               |                    |                    |                |                    |                    | MT/yr         |               |               |                    |                    |               |
| Apartments Low Rise | 53997.9        | 2.9000e-004        | 2.4900e-003        | 1.0600e-003        | 2.0000e-005        |               | 2.0000e-004        | 2.0000e-004        |                | 2.0000e-004        | 2.0000e-004        | 0.0000        | 2.8815        | 2.8815        | 6.0000e-005        | 5.0000e-005        | 2.8987        |
| <b>Total</b>        |                | <b>2.9000e-004</b> | <b>2.4900e-003</b> | <b>1.0600e-003</b> | <b>2.0000e-005</b> |               | <b>2.0000e-004</b> | <b>2.0000e-004</b> |                | <b>2.0000e-004</b> | <b>2.0000e-004</b> | <b>0.0000</b> | <b>2.8815</b> | <b>2.8815</b> | <b>6.0000e-005</b> | <b>5.0000e-005</b> | <b>2.8987</b> |

**Mitigated**

|                     | NaturalGas Use | ROG                | NOx                | CO                 | SO2                | Fugitive PM10 | Exhaust PM10       | PM10 Total         | Fugitive PM2.5 | Exhaust PM2.5      | PM2.5 Total        | Bio- CO2      | NBio- CO2     | Total CO2     | CH4                | N2O                | CO2e          |
|---------------------|----------------|--------------------|--------------------|--------------------|--------------------|---------------|--------------------|--------------------|----------------|--------------------|--------------------|---------------|---------------|---------------|--------------------|--------------------|---------------|
| Land Use            | kBTU/yr        | tons/yr            |                    |                    |                    |               |                    |                    |                |                    |                    | MT/yr         |               |               |                    |                    |               |
| Apartments Low Rise | 53997.9        | 2.9000e-004        | 2.4900e-003        | 1.0600e-003        | 2.0000e-005        |               | 2.0000e-004        | 2.0000e-004        |                | 2.0000e-004        | 2.0000e-004        | 0.0000        | 2.8815        | 2.8815        | 6.0000e-005        | 5.0000e-005        | 2.8987        |
| <b>Total</b>        |                | <b>2.9000e-004</b> | <b>2.4900e-003</b> | <b>1.0600e-003</b> | <b>2.0000e-005</b> |               | <b>2.0000e-004</b> | <b>2.0000e-004</b> |                | <b>2.0000e-004</b> | <b>2.0000e-004</b> | <b>0.0000</b> | <b>2.8815</b> | <b>2.8815</b> | <b>6.0000e-005</b> | <b>5.0000e-005</b> | <b>2.8987</b> |

June Lake Development - Mono County, Annual

**5.3 Energy by Land Use - Electricity**

**Unmitigated**

|                     | Electricity Use | Total CO2     | CH4                | N2O                | CO2e          |
|---------------------|-----------------|---------------|--------------------|--------------------|---------------|
| Land Use            | kWh/yr          | MT/yr         |                    |                    |               |
| Apartments Low Rise | 23795.3         | 7.5817        | 3.1000e-004        | 6.0000e-005        | 7.6088        |
| <b>Total</b>        |                 | <b>7.5817</b> | <b>3.1000e-004</b> | <b>6.0000e-005</b> | <b>7.6088</b> |

**Mitigated**

|                     | Electricity Use | Total CO2     | CH4                | N2O                | CO2e          |
|---------------------|-----------------|---------------|--------------------|--------------------|---------------|
| Land Use            | kWh/yr          | MT/yr         |                    |                    |               |
| Apartments Low Rise | 23795.3         | 7.5817        | 3.1000e-004        | 6.0000e-005        | 7.6088        |
| <b>Total</b>        |                 | <b>7.5817</b> | <b>3.1000e-004</b> | <b>6.0000e-005</b> | <b>7.6088</b> |

**6.0 Area Detail**

**6.1 Mitigation Measures Area**



June Lake Development - Mono County, Annual

|             | ROG     | NOx         | CO     | SO2         | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4         | N2O         | CO2e   |
|-------------|---------|-------------|--------|-------------|---------------|--------------|------------|----------------|---------------|-------------|----------|-----------|-----------|-------------|-------------|--------|
| Category    | tons/yr |             |        |             |               |              |            |                |               |             | MT/yr    |           |           |             |             |        |
| Mitigated   | 0.3643  | 6.6400e-003 | 0.4320 | 7.0000e-004 |               | 0.0545       | 0.0545     |                | 0.0545        | 0.0545      | 5.1648   | 2.2388    | 7.4036    | 4.8400e-003 | 4.1000e-004 | 7.6456 |
| Unmitigated | 0.3643  | 6.6400e-003 | 0.4320 | 7.0000e-004 |               | 0.0545       | 0.0545     |                | 0.0545        | 0.0545      | 5.1648   | 2.2388    | 7.4036    | 4.8400e-003 | 4.1000e-004 | 7.6456 |

6.2 Area by SubCategory

Unmitigated

|                       | ROG           | NOx                | CO            | SO2                | Fugitive PM10 | Exhaust PM10  | PM10 Total    | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total   | Bio- CO2      | NBio- CO2     | Total CO2     | CH4                | N2O                | CO2e          |
|-----------------------|---------------|--------------------|---------------|--------------------|---------------|---------------|---------------|----------------|---------------|---------------|---------------|---------------|---------------|--------------------|--------------------|---------------|
| SubCategory           | tons/yr       |                    |               |                    |               |               |               |                |               |               | MT/yr         |               |               |                    |                    |               |
| Architectural Coating | 0.0141        |                    |               |                    |               | 0.0000        | 0.0000        |                | 0.0000        | 0.0000        | 0.0000        | 0.0000        | 0.0000        | 0.0000             | 0.0000             | 0.0000        |
| Consumer Products     | 0.0352        |                    |               |                    |               | 0.0000        | 0.0000        |                | 0.0000        | 0.0000        | 0.0000        | 0.0000        | 0.0000        | 0.0000             | 0.0000             | 0.0000        |
| Hearth                | 0.3137        | 6.1300e-003        | 0.3873        | 7.0000e-004        |               | 0.0543        | 0.0543        |                | 0.0543        | 0.0543        | 5.1648        | 2.1660        | 7.3308        | 4.7700e-003        | 4.1000e-004        | 7.5710        |
| Landscaping           | 1.3600e-003   | 5.2000e-004        | 0.0447        | 0.0000             |               | 2.5000e-004   | 2.5000e-004   |                | 2.5000e-004   | 2.5000e-004   | 0.0000        | 0.0728        | 0.0728        | 7.0000e-005        | 0.0000             | 0.0746        |
| <b>Total</b>          | <b>0.3643</b> | <b>6.6500e-003</b> | <b>0.4320</b> | <b>7.0000e-004</b> |               | <b>0.0546</b> | <b>0.0546</b> |                | <b>0.0546</b> | <b>0.0546</b> | <b>5.1648</b> | <b>2.2388</b> | <b>7.4036</b> | <b>4.8400e-003</b> | <b>4.1000e-004</b> | <b>7.6456</b> |

June Lake Development - Mono County, Annual

**6.2 Area by SubCategory**

**Mitigated**

|                       | ROG           | NOx                | CO            | SO2                | Fugitive PM10 | Exhaust PM10  | PM10 Total    | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total   | Bio- CO2      | NBio- CO2     | Total CO2     | CH4                | N2O                | CO2e          |
|-----------------------|---------------|--------------------|---------------|--------------------|---------------|---------------|---------------|----------------|---------------|---------------|---------------|---------------|---------------|--------------------|--------------------|---------------|
| SubCategory           | tons/yr       |                    |               |                    |               |               |               |                |               |               | MT/yr         |               |               |                    |                    |               |
| Architectural Coating | 0.0141        |                    |               |                    |               | 0.0000        | 0.0000        |                | 0.0000        | 0.0000        | 0.0000        | 0.0000        | 0.0000        | 0.0000             | 0.0000             | 0.0000        |
| Consumer Products     | 0.0352        |                    |               |                    |               | 0.0000        | 0.0000        |                | 0.0000        | 0.0000        | 0.0000        | 0.0000        | 0.0000        | 0.0000             | 0.0000             | 0.0000        |
| Hearth                | 0.3137        | 6.1300e-003        | 0.3873        | 7.0000e-004        |               | 0.0543        | 0.0543        |                | 0.0543        | 0.0543        | 5.1648        | 2.1660        | 7.3308        | 4.7700e-003        | 4.1000e-004        | 7.5710        |
| Landscaping           | 1.3600e-003   | 5.2000e-004        | 0.0447        | 0.0000             |               | 2.5000e-004   | 2.5000e-004   |                | 2.5000e-004   | 2.5000e-004   | 0.0000        | 0.0728        | 0.0728        | 7.0000e-005        | 0.0000             | 0.0746        |
| <b>Total</b>          | <b>0.3643</b> | <b>6.6500e-003</b> | <b>0.4320</b> | <b>7.0000e-004</b> |               | <b>0.0546</b> | <b>0.0546</b> |                | <b>0.0546</b> | <b>0.0546</b> | <b>5.1648</b> | <b>2.2388</b> | <b>7.4036</b> | <b>4.8400e-003</b> | <b>4.1000e-004</b> | <b>7.6456</b> |

**7.0 Water Detail**

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**7.1 Mitigation Measures Water**

June Lake Development - Mono County, Annual

|             | Total CO2 | CH4    | N2O         | CO2e   |
|-------------|-----------|--------|-------------|--------|
| Category    | MT/yr     |        |             |        |
| Mitigated   | 0.8940    | 0.0107 | 2.6000e-004 | 1.2369 |
| Unmitigated | 0.8940    | 0.0107 | 2.6000e-004 | 1.2369 |

**7.2 Water by Land Use**

**Unmitigated**

|                     | Indoor/Outdoor Use | Total CO2     | CH4           | N2O                | CO2e          |
|---------------------|--------------------|---------------|---------------|--------------------|---------------|
| Land Use            | Mgal               | MT/yr         |               |                    |               |
| Apartments Low Rise | 0.32577 / 0.205377 | 0.8940        | 0.0107        | 2.6000e-004        | 1.2369        |
| <b>Total</b>        |                    | <b>0.8940</b> | <b>0.0107</b> | <b>2.6000e-004</b> | <b>1.2369</b> |

June Lake Development - Mono County, Annual

**7.2 Water by Land Use**

**Mitigated**

|                     | Indoor/Outdoor Use | Total CO2     | CH4           | N2O                | CO2e          |
|---------------------|--------------------|---------------|---------------|--------------------|---------------|
| Land Use            | Mgal               | MT/yr         |               |                    |               |
| Apartments Low Rise | 0.32577 / 0.205377 | 0.8940        | 0.0107        | 2.6000e-004        | 1.2369        |
| <b>Total</b>        |                    | <b>0.8940</b> | <b>0.0107</b> | <b>2.6000e-004</b> | <b>1.2369</b> |

**8.0 Waste Detail**

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**8.1 Mitigation Measures Waste**

**Category/Year**

|             | Total CO2 | CH4    | N2O    | CO2e   |
|-------------|-----------|--------|--------|--------|
|             | MT/yr     |        |        |        |
| Mitigated   | 0.4669    | 0.0276 | 0.0000 | 1.1567 |
| Unmitigated | 0.4669    | 0.0276 | 0.0000 | 1.1567 |

June Lake Development - Mono County, Annual

**8.2 Waste by Land Use**

**Unmitigated**

|                     | Waste Disposed | Total CO2     | CH4           | N2O           | CO2e          |
|---------------------|----------------|---------------|---------------|---------------|---------------|
| Land Use            | tons           | MT/yr         |               |               |               |
| Apartments Low Rise | 2.3            | 0.4669        | 0.0276        | 0.0000        | 1.1567        |
| <b>Total</b>        |                | <b>0.4669</b> | <b>0.0276</b> | <b>0.0000</b> | <b>1.1567</b> |

**Mitigated**

|                     | Waste Disposed | Total CO2     | CH4           | N2O           | CO2e          |
|---------------------|----------------|---------------|---------------|---------------|---------------|
| Land Use            | tons           | MT/yr         |               |               |               |
| Apartments Low Rise | 2.3            | 0.4669        | 0.0276        | 0.0000        | 1.1567        |
| <b>Total</b>        |                | <b>0.4669</b> | <b>0.0276</b> | <b>0.0000</b> | <b>1.1567</b> |

**9.0 Operational Offroad**

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| Equipment Type | Number | Hours/Day | Days/Year | Horse Power | Load Factor | Fuel Type |
|----------------|--------|-----------|-----------|-------------|-------------|-----------|
|----------------|--------|-----------|-----------|-------------|-------------|-----------|

June Lake Development - Mono County, Annual

### 10.0 Stationary Equipment

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#### Fire Pumps and Emergency Generators

| Equipment Type | Number | Hours/Day | Hours/Year | Horse Power | Load Factor | Fuel Type |
|----------------|--------|-----------|------------|-------------|-------------|-----------|
|----------------|--------|-----------|------------|-------------|-------------|-----------|

#### Boilers

| Equipment Type | Number | Heat Input/Day | Heat Input/Year | Boiler Rating | Fuel Type |
|----------------|--------|----------------|-----------------|---------------|-----------|
|----------------|--------|----------------|-----------------|---------------|-----------|

#### User Defined Equipment

| Equipment Type | Number |
|----------------|--------|
|----------------|--------|

### 11.0 Vegetation

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# APPENDIX -5 Earthquake Zones

