RIMROCK RANCH
SPECIFIC PLAN AND FINAL EIR

State Clearinghouse # 98092066

LEAD AGENCY:
Mono County Planning Department
P.O. Box 8
Bridgeport, California 93517

PROJECT APPLICANT:
Rimrock Ranch Partnership

EIR PREPARED BY:
Mono County Planning Department
P.O. Box 8
Bridgeport, California 93517
760-932-5219
northmono@qnet.com

November 2000

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TABLES

I. INTRODUCTION AND SUMMARY

FINAL ENVIRONMENTAL IMPACT REPORT (FEIR)

The Final Environmental Impact Report for the Rimrock Ranch Specific Plan consists of:

The Draft Rimrock Ranch Specific Plan/EIR (bound separately);
Written comments received in response to the Draft EIR;
Responses to the comments received;
The final Mitigation Monitoring Program; and
The final text of the Rimrock Ranch Specific Plan.

The Draft EIR is bound separately but is incorporated by reference and should be considered an integral component of the Final EIR.

PUBLIC REVIEW PROCESS

The Draft EIR was circulated for public review beginning July 21, 2000. The review period ended September 21, 2000, but was extended to October 9, 2000, in response to requests received during the comment period. Notices announcing the availability of the documents were placed in the local newspaper. Local and Federal agencies and organizations were provided documents, as were individuals or organizations requesting copies; the State Clearinghouse distributed copies to State agencies. Copies were available for review or purchase (at the cost of reproduction) at the Planning Department offices in Bridgeport and Mammoth Lakes. Copies were also available for review at all branches of the county library system.

SUMMARY OF COMMENTS RECEIVED

Forty-eight (48) comments were received by the extended deadline. Two comments were from Federal and State agencies; 3 were from organizations; 43 were from individuals. Multiple comments were received from 8 individuals. Table 1 summarizes each of the comments received.

TABLE 1
SUMMARY OF COMMENTS ON THE DRAFT RIMROCK RANCH EIR

No.	Source	Key Points
1	Ralph & Lyn Haber (see also #s 6, 30)	1. Request the County to solicit comment letters from the Wheeler Crest Fire Protection District and the Wheeler Crest Community Services District.
2	Jeanne Oakeshott (see also # 41)	1. Riparian vegetation should be shown on maps. 2. Questions potential water impacts. Requests additional mitigation for potential water impacts. 3. Disagrees that there will be no unavoidable significant environmental impacts.

		4. Requests additional information in the alternatives analysis. 5. The EIR needs to explain how the mitigation program will be implemented and enforced. 6. New maps should be developed for the Deer Study showing the current lot configuration in relationship to deer trails and use areas. 7. Suggests a new alternative developed in conjunction with the wildlife biologist to protect wildlife use areas on-site.
3	Jeff & Gloria Vaughn (see also # 40)	1. Question potential water impacts. Request additional mitigation for potential water impacts.
4	Karl & Laura Hinrichs	1. Suggest monitoring activities be the responsibility of the Wheeler Crest Design Review Committee. 2. Barbed-wire fencing is unnecessary and should be removed from plan. 3. Prefer the clustered housing alternative. 4. Question potential water impacts. Request additional mitigation for potential water impacts.
5	Wheeler Crest Fire Protection District	1. Will issue "will serve" letters after reviewing detailed tract maps. 2. Policies in plan conflict with fire-safe requirements. Give prominence to compliance with fire-safe regulations. 3. Remove "fire-safe wood shingles" from Policy 4b, p. 22.
6	Lyn Haber (see also #s 1, 30)	1. Questions how certain mitigation will be measured and monitored. 2. Barbed-wire fencing should be prohibited. 3. Questions potential water impacts. Requests additional mitigation for potential water impacts.
7	Allison Campanelli	1. Questions the permitted Guesthouse use. 2. Questions how many grazing animals are allowed on 2 acres. 3. Questions the minimum building size. 4. Requests a "will serve" letter from the WCCSD. 5. Questions potential water impacts and requests additional mitigation. 6. Why is the project not following the environmentally superior alternative? 7. What is the time frame for each phase?
8	James W. & Judith A. Lamb	1. Expresses support for the project.

9	Stephen Ingram (see also # 35)	1. Requests an extension of the comment period. 2. Notes figures in the Water Resource Assessment are illegible and requests clean copies.
10	Lyle K. Gaston (see also # 46)	1. Requests an extension of the comment period. 2. Main concern is the adequacy of the Water Resource Assessment. 3. Requests a legible copy of Figure 4 in the Water Resource Assessment.
11	Ray Dutcher (see also # 34)	1. Requests an extension of the comment period.
12	Stephen Kalish	1. Requests an extension of the comment period. 2. EIR should address the issue of adverse effect of surface runoff on roadways. 3. Expresses concern about limiting building materials for structures. 4. Expresses concern about the cumulative impacts of subdivisions in the area by the project proponent. Requests dedication of one of the lots for a neighborhood park. 5. Water demand figures are inaccurate. 6. Expresses concern about the 2 acre gross lot size. 7. Encourages the county to require 15 % of the lots to be affordable to median income residents.
13	Kurt C. & Terrie W. Schroeder	1. Express support for the project.
14	Dan Bacon (see also # 26)	1. Requests an extension of the comment period.
15	Brian Cashore	1. Is concerned about the implementation /enforcement of certain environmental impacts. 2. WCCSD should not monitor private domestic wells. 3. The conclusions in the Water Resource Assessment may not be reliable in the long-term. 4. Mono County should implement a water and/or natural resource monitoring and protection plan rather than imposing that requirement on private landowners or special districts.

16	Kleinfelder Engineering Brett Whitford Water Resources Services Manager David Herzog Senior Engineering Geologist	1. Assesses recommendations made in the WRA.
17	Wheeler Crest Community Services District	1. Expresses concerns about certain statements, requirements, and conclusions in the EIR pertaining to the provision of water.
18	Jeanne Walter	1. Requests an extension of the comment period. 2. Main concern is the Water Resource Assessment.
19	William & Barbara Goodman	1. Express support for the project.
20	California Department of Fish & Game, Darrell Wong, Supervisor, Habitat Conservation Program	1. Does not recollect that purchase of the adjacent 100-acre deer migration corridor parcel was intended as mitigation for development of the 80-acre subject parcel. 2. New maps should be developed for the Deer Study showing the current lot configuration in relationship to deer trails and use areas. 3. Deer study concludes impacts to deer herd cannot be mitigated to less-than-significant level; environmental analysis concludes they can. 4. Believes all proposed development within the Round Valley Deer Herd migration corridor and winter range should be assessed in the cumulative impacts section. 5. The EIR should be amended to discuss the Sierra Nevada bighorn sheep and the mountain lion.
21	California Regional Water Quality Control Board, Michele Ochs, Associate Engineering Geologist	1. The project will require a NPDES Stormwater Permit & Stormwater Pollution Prevention Plans (SWPPP). 2. The project should be planned to avoid disturbance to streams and drainages. 3. The EIR should evaluate additional wastewater treatment options and potential impacts to surface and groundwater quality.
22	Darcy Bauer	1. Expresses support for the project.
23	Robert Atlee	1. Question potential water impacts. Requests additional mitigation for potential water impacts.

24	Jeff Perry	1. Notes that noise from Pinon can be heard in Swall Meadows and questions the impact of that noise on the deer herd. 2. Expresses concern about the precedent of this project for further Mono County development projects.
25	Cheyenne McAfee	1. The WRA lacks adequate data and there is no mitigation plan for potential impacts. 2. Deer study concludes impacts to deer herd cannot be mitigated to less-than-significant level; environmental analysis concludes they can. 3. There is no study for rare/endangered plants and animals.
26	Daniel Bacon (see also # 14)	1. Questions benefit of project to existing community and wildlife. 2. EIR should address desert kit fox. 3. Questions potential water impacts. Requests additional mitigation for potential water impacts.
27	Brent & April Miller	1. Express support for the project.
28	Mary Siceloff	1. Questions potential water impacts. Requests additional mitigation for potential water impacts. 2. There is no study for rare or endangered plants.
29	Al Carson & Virginia Steel	1. Question potential water impacts. Request additional mitigation for potential water impacts.
30	Ralph Haber (see also #s 1, 6)	1. Concerned about duplication of street names in Swall Meadows.
31	Dan & Linda Hess O'Dell	1. Question potential water impacts. Request additional mitigation for potential water impacts.
32	Carol Broberg	1. Questions potential water impacts. Requests additional mitigation for potential water impacts. 2. Believes the EIR did not address additional traffic.
33	Karen Ferrell-Ingram	1. Questions potential water impacts. Requests additional mitigation for potential water impacts. 2. Deer study concludes impacts to deer herd cannot be mitigated to less-than-significant

		level; environmental analysis concludes they can. 3. New maps should be developed for the Deer Study showing the current lot configuration in relationship to deer trails and use areas. 4. Concerned about impacts of additional traffic on deer fatalities. 5. There is no rare/endangered animal survey; the EIR should address the Kingston Mountain Chipmunk. 6. There is no rare/endangered plant survey. 7. Comments on adequacy of mitigation requiring native plant materials. 8. Requirements for revegetation around houses conflict with Fire-safe requirements. 9. List of plant species recommended for revegetation contains plants not native to the proposed development site.
34	Ray Dutcher (see also # 11)	1. Questions potential water impacts. Requests additional mitigation for potential water impacts. 2. Questions whether Triad Engineering has a conflict of interest.
35	Stephen Ingram (see also # 9)	1. Questions potential water impacts. Requests additional mitigation for potential water impacts. 2. `There is no survey for rare/endangered plants. 3. Onsite drainages should be shown on a map. 4. Requirements for revegetation around houses conflict with Fire-safe requirements. 5. Comments on adequacy of mitigation for vegetation clearance and revegetation. 6. New maps should be developed for the Deer Study showing the current lot configuration. 7. Deer study concludes impacts to deer herd cannot be mitigated to less-than-significant level; environmental analysis concludes they can. 8. There is no rare/endangered animal survey; the EIR should address the Kingston Mountain Chipmunk.
36	Skyli McAfee	1. Questions potential water impacts. Requests additional mitigation for potential water impacts. 2. There are no surveys for rare/endangered plants or animals.

		3. Questions who will monitor vegetation clearance and revegetation requirements.
37	Gary R. Clark	1. Questions potential water impacts. Requests additional mitigation for potential water impacts.
38	Richard Arnold	1. Expresses concern that Triad Engineering has a conflict of interest. 2. Questions potential water impacts. Requests additional mitigation for potential water impacts. 3. Requirements for revegetation around houses conflict with Fire-safe requirements. 4. Too little attention in the EIR to the impacts of light, noise and traffic on wildlife and existing residents.
39	California Native Plant Society Bristlecone Chapter	1. The EIR should address the protection of wetland areas from groundwater depletion. 2. There is no rare/endangered plant survey.
40	Gloria Vaughn (see also # 3)	1. Expresses concern that Triad Engineering has a conflict of interest. 2. Questions potential water impacts. Requests additional mitigation for potential water impacts.
41	Jeanne Oakeshott (see also # 2)	1. Questions potential water impacts analysis. 2. Buildout of Pinon Ranch should be considered in the cumulative impact analysis. 3. Deer study concludes impacts to deer herd cannot be mitigated to less-than-significant level; environmental analysis concludes they can.
42	Andrew James McMullin	1. Questions potential water impacts. Requests additional mitigation for potential water impacts. 2. Monitoring and enforcement for deer mitigation needs to be included in the EIR.
43	Steven G. Morgan	1. Questions potential water impacts. Requests additional mitigation for potential water impacts. 2. There is no survey for rare or endangered plants or animals. 3. Expresses concerns about negative impacts to the deer herd. 4. There is no plan for revegetation with native species.

44	Robert Harrington, PhD Hydrologist, Inyo County	1. Questions potential water impacts. Requests additional mitigation for potential water impacts.
45	William Crljenko	1. Requests additional mitigation for potential water impacts.
46	Lyle K. Gaston (see also # 10)	1. Questions potential water impacts. Requests additional mitigation for potential water impacts.
47	Steve Peterson	1. Questions potential water impacts. Requests additional mitigation for potential water impacts. 2. Deer study concludes impacts to deer herd cannot be mitigated to less-than-significant level; environmental analysis concludes they can.
48	Cheryl Wilson	1. EIR does not adequately address visual impacts, particularly from the western portion of Pinon Ranch. 2. Rimrock Ranch must comply with requirements of Wheeler Crest Design Review District. 3. Questions potential water impacts.

KEY ISSUES IDENTIFIED IN COMMENT LETTERS

Several key issues recurred throughout the comment letters. Table 2 identifies those key issues and lists the comment letters in which they occurred (see Table 1 for comment letter numbering).

TABLE 2
KEY ISSUES—RIMROCK RANCH DEIR COMMENT LETTERS

Topical Issue	See the following Comment Letters
Water impacts	2, 3, 4, 6, 7, 10, 15, 16, 17, 21, 23, 25, 26, 28, 29, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48
Deer impacts	2, 20, 24, 25, 26, 33, 35, 38, 41, 42, 43, 47
Rare/endangered plant/animal surveys	25, 28, 33, 35, 36, 39, 43
Fire-safe requirements	5, 33, 35, 38
Implementation of mitigation measures	2, 4, 6, 36

CHANGES IN EIR RESULTING FROM COMMENTS AND RESPONSES

The following changes have been made in the Rimrock Ranch Specific Plan FEIR as a result of comments made on the DEIR:

- A drainage plan has been added showing proposed drainage for the project (see Appendix C in the FEIR).

- The Water Resource Assessment has been amended to address issues raised in comment letters (see Appendix A in the FEIR). In addition, a second engineering firm reviewed the Water Resource Assessment and provided additional input regarding water resource issues (see Appendix A).

- The maps in the Deer Study have been amended to show the current lot configuration for the project (see Appendix B in the FEIR).

- Design Guidelines Policy 6 in the Specific Plan has been modified as follows:

  The total fenced area on any parcel shall be limited to the total area disturbed onsite as allowed under Land Use Policy 3a above. Fencing shall be three-strand ~~barbed wire~~ or three-rail pipe or wood fence. Solid wood fencing may be constructed within the immediate vicinity of a structure but shall encompass an area not greater than 1 acre (C.C.& R's and Taylor, 1993).

- Design Guidelines Policy 7 in the Specific Plan has been modified as follows:

  ~~Barbed wire~~ fences shall consist of 3 single-strand wires placed 20, 30 and 42 inches from the ground. ~~with the bottom~~ All wire shall be smooth strand (Taylor, 1993).

- Although the Rimrock Ranch Specific Plan has been designed in compliance with the Fire-safe Regulations, the following policy has been added to the Specific Plan to clarify the need for compliance with those regulations:

  Natural Resource Conservation Policy 17:
  The project shall comply with the Fire-safe Regulations (Mono County Code 19.26; Land Use Element, Land Development Regulations Chapter 22) pertaining to emergency access; signing and building numbering; emergency water supplies; and vegetation modification (see also Infrastructure Policy 3 pertaining to emergency water supplies; Design Guidelines Policy 10 pertaining to landscaping and vegetation modification; and Traffic Policy 3 pertaining to fire-safe standards for roadway construction).

- Design Guidelines Policy 10a has been modified as follows to eliminate conflict between the fire-safe regulations and requirements for onsite landscaping/revegetation:

  Landscaping shall be used to minimize potential visual impacts resulting from development and to provide vegetative screening ~~around structures~~ to reduce deer avoidance of developed areas (C.C.&R's and Taylor, 1993). Screening cover should be planted in a minimum 20-foot-wide band ~~around each residential site~~ along property boundaries and established deer use areas (see the Amended Deer Use Maps, Appendix B of the FEIR),

consisting of an inner strip of indigenous trees and an outer dense strip of ~~native~~ indigenous shrubs.

- Design Guidelines Policy 4b has been modified as follows:

  Roofing shall be ~~fire-safe wood shingles~~, fiberglass shingles or metal in colors compatible with the area (e.g. tan, brown, dark green, or similar colors).

- Natural Resource Conservation Policy 16d and 16e have been modified as follows:

  d. Because the potential for impact is considered low, pumping rotation or pumping limitations are not required as part of this mitigation and monitoring program, unless the monitoring threshold is reached as described below.

  e. WCCSD No. 3 shall be used as a monitoring well and shall act as a "trigger" well. The "trigger" shall be based on a water level decline more severe than the predicted decline under the worst case scenario presented in the Water Resource Assessment, Rimrock Ranch Specific Plan, 1999, i.e., if the water level in WCCSD No. 3 drops more than five (5) feet after one (1) year of operation of WCCSD No. 4 ~~after the project is fully developed~~, or drops more than five (5) feet from the initial baseline elevation based on the annual monitoring after the project is fully developed, all collected data shall be analyzed to evaluate the potential for impact to other wells. The objective of the evaluation would be to update and enhance the evaluation in the Water Resource Assessment, Rimrock Ranch Specific Plan, 1999, using the additional data. Once these data have been updated and analyzed, the Planning Commission may use the information to implement pumping limitations, water conservation measures, moratoriums on lot development, or other similar action to prevent impacts to environmental resources and existing well owners.

- A discussion of the potential cumulative impacts of all projects within the migration corridor and winter habitat of the Round Valley deer herd has been added to the FEIR.

- The Deer Study concludes that, even with mitigation, the project would incur unavoidable significant impacts to the Round Valley deer herd. The DEIR misstated this conclusion by stating that potential impacts to the deer herd could be mitigated to a less-than-significant level. The FEIR has been modified to correct this misstatement; even with mitigation, the project would result in unavoidable, significant impacts to the Round Valley deer herd.

- In response to comments received on the DEIR, a discussion of the bighorn sheep and the mountain lion has been added to FEIR (see response to Comment # 20 from the California Department of Fish and Game).

- In response to comments received on the DEIR, and in order to minimize potential impacts to bighorn sheep in the Wheeler Crest area, Land Use Policy 3 f has been amended as follows:

  Horses and other large animals (i.e. ~~sheep, llama~~, cattle and other grazing animals) in compliance with the Mono County Zoning and Development Code animal standards (C.C. & R's). Sheep, goats, and llamas are not permitted.

- A complete Mitigation Monitoring Program has been developed for the project (see Appendix E).

II. COMMENT LETTERS & RESPONSES TO COMMENTS

This section reproduces all comment letters received on the DEIR and provides responses to those comments.

Ralph and Lyn Haber
730 Rimrock Drive
Swall Meadows, California 93514
Telephone: 760-387-2458

August 11, 2000

Mr. Keith Hartstrom, Senior Planner
Mono County Planning Department
PO Box 8
Bridgeport, California 93517

Dear Keith: Re: Rimrock Ranch Draft Specific Plan/EIR

We want to thank you and congratulate you on the excellent job you and your staff have done in preparing the July 15, 2000 combined Specific Plan and EIR for the Rimrock Ranch Development in Swall Meadows. It is very responsive to the spirit of both the development plan submitted by the developers and to the Wheeler Crest General Plan governing development and building in Swall Meadows.

We have a request for addition and clarification. While there are many statements made in the July 15 draft regarding both fire protection and water resources, there are no letters from the two special districts in Swall Meadows specifically charged with the management of these resources. We feel it critical that not only should your office provide your analysis of the adequacy of fire protection and water services, but the two special districts should explicitly state that they have examined the documentation and plans and find them acceptable with respect to their own requirements.

The Mono County Board of Supervisors formed the Wheeler Crest Fire Protection District in the early 1980s and the Wheeler Crest Community Services (Water) District shortly thereafter. The purposes of both of these special districts was to provide essential services to the Swall Meadows community. Our community depends on these special districts not only for delivery of these services, but for their ongoing appraisal of demands for these services in the future. Hence, when a new home is proposed that is located within the boundaries of these districts, the districts must participate in the approval process. This participation is even more critical for new developments that will ultimately create a number of new homes. We do not know if the Letter of Notification is required by law to be sent to these two special districts (as it apparently is for Lahontan, Air Control, and the local School District). It should be required by our community, because we are dependent on them to assure the community of the acceptability of this and every addition of homes with respect to fire protection and water resources. Not only should these special districts respond to the Letter of Notification, but they should then each provide a report and analysis that is attached to the Draft EIR.

For this reason we feel the absence of an analysis provided by each of these special districts for the Rimrock development proposal is a serious omission. We urge you, as a result of this

letter delivered to you during the Public Comment period on this draft proposal, to solicit letters from these two special districts, requesting that they provide assurance that they have examined the draft proposal and that it does (or does not) conform to the requirements of their special district.

Cordially,

Ralph and Lyn Haber

Response to Comment # 1 from Ralph and Lyn Haber, dated August 11, 2000

The Wheeler Crest Fire Protection District (WCFPD) and the Wheeler Crest Community Services District (WCCSD) both submitted comment letters on the Rimrock Ranch DEIR (see Comment # 5 from the WCFPD and Comment # 17 from the WCCSD). Those letters show that both districts have considered the project and the DEIR and are providing comments concerning the adequacy of the DEIR and applicable mitigation measures contained in the DEIR and the associated Specific Plan.

59 Valley View Road
Swall Meadows, CA 93514
August 28, 2000

Mono County Planning Department
Keith Hartstrom, Senior Planner
P.O. Box 8
Bridgeport, CA 93517

Dear Mr. Hartstrom:

Thank you for the opportunity to submit my comments and questions regarding the Draft EIR for the Rimrock Ranch Project. After a thorough review of the document, I appreciate that it was written in such a clear format.

Some sections, however, were unclear to me, did not provide the data or maps that I needed to fully understand them, or needed revision. By page they are as follows:

Pg. 20, Policy 6c and final paragraph: Where are the "Certain areas of riparian vegetation...identified by the project biologist...for wildlife habitat will be preserved with open space easements"? The next paragraph says the these will be recorded on the final maps. I feel that these maps are essential to evaluate if and how this policy item will be implemented.

Pg. 25, Policy 16e: My understanding of this policy is that this trigger will go into effect after one year of operation of WCCSD No. 4 after the project is fully developed. Why wait to full build-out to analyze the impact? I think that this should be changed to include a regular analysis, for example quaterly, and also at the completion of each Project Phase.

Another concern I have is that it says "all collected data shall be analyzed to evaluate the potential for impact to other wells". This needs stronger language that assures the current residents that if the wells in the area experience a significant drop, that this document has a specific mitigation plan in place to deal with this impact. The project proponents should be prepared to dig me a new, deeper well if their project causes me to lose my normal well output. This is one of my greatest worries about the project.

Pg. 71, Final paragraph: Based on this document, I disagree strongly with the conclusion that "No unavoidable significant environmental effects would occur as a result of implementing the Rimrock Ranch Specific Plan". While the deer mitigation measures are good, they do not reduce the potential impact of this project to "insignificant". The only way to do that would be by considering Alternative 2 or 3 or a variation of these I suggest at the end of this letter. The way the water monitoring mitigation is explained, there is no protection for current homeowners from significant impacts once they occur. Unless these concerns are addressed and the impacts eliminated in the Final EIR, then this paragraph needs to be revised to say that "even with the proposed mitigation measures, the impacts to animal life and groundwater could be significant."

Pg. 73, Alternative 2, second paragraph: This alternative claims that a "larger area of additional acreage would be left in its natural condition" should this alternative be adopted. Exactly what would happen to this land needs to be highlighted. Will the project proponent donate/sell this to DFG? Will the proponent be able to hold onto this land and in the future seek to change this Specific Plan and develop it? This needs to be clearly stated in the document. I think that there should be language as strong as the policies for his proposed project that forbid the land from ever being developed if this is implied in this document.

Pg. 73, Alternative 3: It is impossible to evaluate this alternative without a map that shows that "The layout of the lots would be designed to preserve identified deer movement corridors to the greatest extent possible." Are these the trails identified on Table 6, Page 26, of the Deer Study? This document is incomplete without this map.

Pg 74, first paragraph: Once again this alternative states that additional open space acreage would be made available, but does not explain who will own it or manage it as such. This is important information in evaluating this alternative.

Pg. 74, Alternative 4: Again there is a proposed layout to preserve deer corridors but no map! And again no specific explanation of who will own and/or monitor the open acreage created. Also, it states that "Site development criteria, particularly setbacks, would likely need to modified in order to provide sufficient developable areas on each lot". Where are these maps?

This section needs to include the fact that this alternative does not meet the project's own Land Use Objective to provide "low density" housing. Clustering one acre lots next to open space is unacceptable to me and I would not support a General Plan Amendment to decrease minimum lot size from 2 acres to one.

Pg. 80-81, Water Resources: It is my understanding that the entity required to monitor all the impacts and mitigation of the groundwater is the WCCSD. I feel that there should be an "outside" agency responsible for this. The WCCSD did not conduct the original Water Resource Assessment and I do not feel they have the expertise to do the critical impact analysis outlined in this document.

Pg. 82-88: This document contains some very strong language protecting deer by limiting construction months, requiring timely revegetation using native plants, setting 30% site disturbance maximums, etc. My conclusion is that the Code Enforcement Officer is responsible for seeing that mitigation measures such as these are complied with. All these things sound great on paper but I need to know **how** this CEO is going to stay on top of all of this! Thirty five lots?! How many CEO's does Mono County have? What inspection schedule will he/she have for this development? Will this continue after build-out? What if there is noncompliance? What happens to the homeowners or to the proponent who got the project approved based on these assumptions? A section needs to be added to this document that explains how this mitigation program is truly going to work. As a resident of this county I want to know and if I was going to purchase property there, I would want to know, too.

Deer Study, Final Report, Pg. 25: The last line seems critical to discussing lot placement for Alternative 2 or 3, or mine below. "Trails which received the heaviest deer use were located within the two major drainages that bisect units 18-22 in Lot 5." Where is this??? What drainages? This needs clarification by the author.

Deer Study, Figure 6, Page 26: I realize that the Deer Study was completed at a time when the Specific Plan showed a different lot layout than the present proposal, however, this made this figure very difficult to read. I think that a revised map showing the deer trails on the currently proposed lot configuration map is essential considering the importance of the impact to the deer population.

I would like to suggest another alternative that combines some of the elements of the ones presented and based on the information contained in this document. I would like a Redesigned Project with Fewer Lots, but using different criteria for which space is not built on and which is. Alternative 2 eliminates the lots adjacent to the DFG Open Space with the intent of increasing that area. I think that the current deer use, including deer trails and wildlife habitats in drainages should be taken into consideration when drawing lot configurations. I suggest that a new map be drawn *in conjunction with the wildlife biologist* to create a development that works with the wildlife from the start.

Please not that I am honestly not suggesting this new alternative as a tactic to delay Mr. Wilson's plans or cost him more money. I believe he is entitled to make some money off his land, (though I would prefer he could do so by selling it ALL to Fish and Game or another land trust organization). Based on the information provided in this document (and I look forward to a more complete, amended Final EIR), I think a reconfiguration of the lot plan with fewer lots would have the least impact and meet most of the proposal objectives. His original estimate of the selling price for his lots, seems low and this should be taken into account when weighing how much this alternative meets his original objective.

Thank you again for taking the time and effort to consider and respond to my questions and concerns.

Sincerely,

Jeanne Oakeshott

Response to Comment # 2 from Jeanne Oakeshott, dated August 28, 2000

Riparian Vegetation on Maps.
A map showing riparian vegetation onsite has been added to the FEIR (see Appendix D).

Water Resource Impacts.
Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

Disagrees There Will Be No Unavoidable Significant Environmental Impacts.
The Deer Study concludes that, even with mitigation, the project would incur unavoidable significant impacts to the Round Valley deer herd. The DEIR misstated this conclusion by stating that potential impacts to the deer herd could be mitigated to a less-than-significant level. The FEIR has been modified to correct this misstatement; even with mitigation, the project would result in unavoidable, significant impacts to the Round Valley deer herd.

Requests Additional Information in the Alternatives Analysis.
The purpose of an EIR is to provide information for the public and decision-makers. Regarding project alternatives, an EIR is required to "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives" (CEQA Guidelines Section 15126.6 a). An EIR is required to "provide sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project" (CEQA Guidelines Section 15126.6 d). The alternatives analysis for the Rimrock Ranch Specific Plan DEIR complies with the above requirements.

Implementation and Enforcement of Mitigation.
Compliance with State and local development requirements, including Specific Plan requirements, is the responsibility of County staff. Throughout the development process and afterwards various County personnel are responsible for ensuring that the development complies with all applicable policies and regulations, including staff from the following departments: Planning, Building, Public Works, Environmental Health, and Code Compliance.

Deer Study Map.
The map in the Deer Study has been amended to show the current lot configuration for the project (see Appendix B in the FEIR).

New Alternative to Protect Wildlife Use Areas Onsite.
This comment is directed to the Mono County Planning Commission and Board of Supervisors for consideration during the approval process for the project. These comments are acknowledged herein; see response above concerning alternatives analysis.

RECEIVED

SEP 13 2000

MONO COUNTY
CDD/PLANNING

SEPTEMBER 4, 2000

MONO COUNTY PLANNING DEPARTMENT
P.O. BOX 8
BRIDGEPORT, CA 93519

RE: RIMROCK RANCH DRAFT SPECIFIC PLAN/EIR

AS A 20 YEAR RESIDENT OF SWALL MEADOWS, I ATTENDED THE "SCOPING" MEETINGS FOR THE PROPOSED RIMROCK RANCH SUBDIVISION, AND WAS ONE OF MANY RESIDENTS WHO EXPRESSED THEIR CONCERN OVER THE DEVELOPER'S WATER SYSTEM PLANS AND THE POTENTIAL ADVERSE EFFECTS ON WATER RESOURCES. (PAGE 1 OF THE EIR; PUBLIC CONCERNS REGARDING THE PROPOSED PROJECT.)

AFTER A CAREFUL READING OF THE DRAFT EIR AND IN PARTICULAR THE WATER RESOURCE ASSESSMENT CONCLUSIONS, I AM OUTRAGED THAT A STUDY SO FULL OF "ASSUMPTIONS" AND "GIVEN THE DATA AVAILABLE" AND NUMEROUS OTHER HEDGES, CAN CONCLUDE THAT "POTENTIAL IMPACTS ARE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL." THIS IS ESPECIALLY DISTURBING SINCE THE STUDY ADMITS THAT GROUNDWATER LEVELS HAVE DECLINED BY AS MUCH AS 1 FOOT PER YEAR AS A RESULT OF DEVELOPMENT TO DATE.. THIS IS WITH WELLS THAT AVERAGE NO MORE THAN 8" DIAMETER, 150 FEET DEEP, AND SERVE INDIVIDUAL LOTS. ADD TO THIS MIX A WELL THAT IS 16" DIAMETER, 600 FEET DEEP, OPERATING AT LEAST 6 HOURS A DAY, PUMPING AN ADDITIONAL 5.15 MILLION GALLONS OF WATER FROM THE GROUND PER YEAR, AS PART OF A SYSTEM THAT IS DESIGNED TO BE SCALED UP, AND THE REPORTS CONCLUSION THAT THE POTENTIAL FOR IMPACT IS CONSIDERED LOW IS ABSURD, AND NOTHING MORE THAN A FREE PASS TO THE DEVELOPER. TEAM ENGINEERING COVERS THEIR BEHINDS BY "RECOMMENDING" A MONITORING AND MITIGATION PROGRAM REFERRED TO IN "POLICY 16".

ACCORDING TO "POLICY 16", A MITIGATION AND MONITORING PROGRAM SHALL BE IMPLEMENTED TO ENSURE THAT POSSIBLE IMPACTS TO THE GROUNDWATER RESOURCE-ETC.-ETC.-ETC.-ARE AVOIDED.

THIS IS AN INSULT TO OUR INTELLIGENCE. THIS IS A MONITORING PROGRAM-PERIOD! THERE IS NOT ONE REQUIREMENT TO DO ANYTHING BUT COLLECT DATA FOR ANALYSIS. IN FACT, THE REPORT STATES JUST THE OPPOSITE. "BECAUSE THE POTENTIAL FOR IMPACT IS CONSIDERED LOW, PUMPING ROTATION OR PUMPING LIMITATIONS ARE NOT REQUIRED AS PART OF THIS MITIGATION." THIS IS NO MITIGATION AT ALL! THE DEVELOPER MAY HEAR FROM AN AGENCY WITH SOME AUTHORITY LIKE THE LAHONTAN REGIONAL WATER QUALITY CONTROL BOARD IF THE MEADOWS START DRYING UP, BUT IF NEIGHBORING WELLS ARE ADVERSLY AFFECTED, BECAUSE UNRESTRICTED PUMPING OF THE BIGGEST, DEEPEST WELL IN THE AREA WAS ALLOWED VIA THE APPROVAL PROCESS, RESIDENTS WILL HAVE NO RECOURSE BUT TO SUE THE DEVELOPER AND THE PLANNING COMMISSION OVER SUCH RECKLESS DISREGARD FOR THE WELLFARE OF THE EXISTING RESIDENTS OF SWALL MEADOWS.

BEFORE YOU ASSUME THAT I DON'T KNOW WHAT I AM TALKING ABOUT, LET ME TELL YOU THAT I HAVE HAD REAL WORLD EXPERIENCE WITH A VERY SIMILAR SITUATION AS THE MANAGER OF THE HOLLISTER RANCH HOMEOWNERS ASSOCIATION IN THE 1970'S.

THE HOLLISTER RANCH WAS OVER 14000 ACRES, AND UNDERWENT SUBDIVISION INTO 100 ACRE PARCELS.IN THE EARLY SEVENTIES. THE ONLY WATER AVAILABLE WAS DEVELOPED FROM INDIVIDUAL WELLS,-SOUND FAMILIAR? SOME PARCELS COULD NOT GET A WELL AND WATER COMPANIES WITH ATTENDENT STORAGE, TRANSPORTING PIPELINES AND METERING WERE FORMED, A LA RIMROCK RANCH. SOME PARCEL OWNERS WANTED GROVES OF AVOCADOS OR LEMONS EVEN THOUGH IT WAS CLEAR THAT WATER OF SUFFICIENT QUALITY AND QUANTITY WAS NOT FEASIBLE. POOR PLANNING AND A LACK OF ENFORCIBLE RESTRICTIONS RESULTED IN WELLS THAT DRIED UP, STORAGE PONDS THAT SILTED UP, METERS THAT WERE TAMPERED WITH, DYING GROVES OF TREES, AND NEIGHBORS SUEING ONE ANOTHER.

DON'T LET THIS KIND OF THING HAPPEN IN SWALL MEADOWS! IT IS THE RESPONSIBILITY OF THE PLANNING COMMISSION TO SEE TO IT THAT NEW DEVELOPMENT DOES NOT HARM THE EXISTING RESIDENTS OF A COMMUNITY.

WITHOUT THE SAFEGUARD OF AN ENFORCEABLE SCHEDULE OF PUMPING LIMITATIONS IN THE, "HIGHLY UNLIKELY" EVENT OF DRAWDOWN OF MONITORED "TRIGGER" WELLS, THE CLAIM THAT MITIGATION MEASURES ARE IN PLACE IS A JOKE AND COULD HAVE GRAVE CONSEQUENCES FOR THE RESIDENTS OF SWALL MEADOWS, BOTH OLD AND NEW.

SINCERELY:

Jeff Vaughan
Gloria Vaughan
101 N. Valley View
Swall Meadows, CA 93514

Response to Comment # 3 from Jeff and Gloria Vaughn, dated September 4, 2000

Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

September 5, 2000

Keith Hartstrom, Senior Planner
Mono County Planning Department
P.O. Box 8
Bridgeport, CA 93517

Re: Rimrock Ranch Draft Specific Plan/EIR

Dear Mr. Hartstrom:

As residents of "Hilltop Estates", an early development just north of the proposed Rimrock Ranch (Rimrock) development, my husband and I present the following response to the above-referenced Draft EIR.

* We applaud the Developer for his attention to preservation of the natural beauty of our area, to maintenance of its low levels of noise and light pollution and protection of wildlife. Most of the safeguards included in the plan, however, rely on monitoring of design, a task that falls on the "CEO", the Mono County Code Enforcement Office (p. 78 of EIR). We question whether such an officer has the time to consistently monitor a development of this sort over a period of years. As this area has a Design Review Committee designated in its General Plan, we suggest that monitoring be included in the responsibilities of that committee. We recognize that this could require a change in the General Plan, but that instrument is under review at present and could be amended to include the design monitoring recommended by the EIR.

* We think the use of barbed wire for fencing, as allowed in the Eir, is unnecessary. Barbed wire is not utilized elsewhere in the community and would appear to be unnecessary. We ask that its use be eliminated from the development plan.

* We would prefer one of the alternatives presented: clustered houses with more open space preserved. We understand that the latter would require a change in County zoning regulations, but such a development should have substantially less impact on deer migration routes if properly designed and still allows the Developer to prepare the same number of lots.

* The most critical issue addressed by the EIR is water use.

a. Adequate supply for the development

From the pumping models it appears that, after initial drawdown, pumping rates adequate to supply the development could be sustained almost indefinitely. That provides for the development; however, there remains the issue of effect on surrounding lands.

b. Effect on surrounding wells

Other models are offered to support the conclusion that wells outside the development area (primarily to the North) will not be adversely affected and that the wetlands in the community will not be damaged. To support this conclusion, the analysis assumes that water is replaced in two ways: the thousand acre community receives 91 acre/feet recharge per year from rain (10% of the average annual rainfall) and an underground inflow of 20,000 acre/feet per year (p. 17 of Water Resource Assessment). If a recharge of 91 acre/feet is derived from 1,000 acres, then to provide 20,000 acre/feet of flow (assuming the same recharge rate and the same annual precipitation) would require a drainage area of 220,000 acres. The location of this drainage basin is not identified. Neither is there an explanation of the disposition of the rest of the rainfall that generates this flow: 90% of the precipitation would run off. Considering the volume of water estimated, why isn't there a river flowing through this community? The EIR should clarify how the estimate of 20,000 acre/feet of flow was derived.

The flow estimate and other conclusions are based on assumptions and measurements that seem tenuous, at best. The analysis of water availability should be examined by another qualified expert and by the Wheeler Crest Community Service District to ensure that the estimates are correct.

c. The remedy

The EIR provides for consistent testing of the development wells and surrounding properties to ensure that drawdown is not damaging other wells (p. 22 of the Water Resource Assessment). Testing wells is a first step but there must also be some remedy. What if it becomes evident that surrounding wells are being damaged by pumping for the development? Does further construction cease? Is water rationing

imposed? Is water for irrigation withdrawn? What impact is there on fire safety, not only for Rimrock but for the rest of the Swall Meadows community? The EIR should contain some remedy for prospective damage to surrounding wells, even if such damage is considered to be very unlikely.

Equally as important, the EIR contains no monitoring procedure for the protection of wetlands in the area. Some way of measuring the effect of pumping on the wetlands should be included in the EIR and some remedy for any deleterious effect must be provided.

Water is an extremely sensitive issue in this community on the edge of the Great Basin. The EIR is reassuring but there are still many undeveloped lots in Hilltop Estates and also in Pinon Ranch. Water use has doubled within the last few years in Pinon Ranch as residents increase irrigation (p. 2, Water Resource Assessment). Water use will only increase as development proceeds and there are more and more full-time residents. We do ask that the water reports by reexamined and commented on **to the public** to ensure adequate water for all.

Very truly yours,

Karl Hinrichs

Karl Hinrichs

Laura Hinrichs

Laura Hinrichs

Hinrichs
P.O. Box 755
Bishop, CA 93515

Response to Comment # 4 from Karl and Laura Hinrichs, dated September 5, 2000

Monitoring Entity.
The Wheeler Crest Design Review District was established in compliance with Chapter 19.36, Design Review District, of the Mono County Code (Chapter 9 of the Land Development Regulations in the Land Use Element). The purpose of a design review district is to review development plans to ensure that proposed development complies with established design review guidelines.

Compliance with State and local development requirements, including Specific Plan requirements, is the responsibility of County staff. Throughout the development process and afterwards various County personnel are responsible for ensuring that the development complies with all applicable policies and regulations, including staff from the following departments: Planning, Building, Public Works, Environmental Health, and Code Compliance.

Barbed-wire Fencing.
In response to this comment and similar ones, Design Guidelines Policy 6 in the Specific Plan has been modified as follows:

> The total fenced area on any parcel shall be limited to the total area disturbed onsite as allowed under Land Use Policy 3a above. Fencing shall be three-strand ~~barbed-wire~~ or three-rail pipe or wood fence. Solid wood fencing may be constructed within the immediate vicinity of a structure but shall encompass an area not greater than 1 acre (C.C.& R's and Taylor, 1993).

In response to this comment and similar ones, Design Guidelines Policy 7 in the Specific Plan has been modified as follows:

> ~~Barbed-wire~~ fences shall consist of 3single-strand wires placed 20, 30 and 42 inches from the ground. ~~with the bottom~~ All wire shall be smooth strand (Taylor, 1993).

Clustered Housing Alternative.
This comment is directed to the Mono County Planning Commission and Board of Supervisors for consideration during the approval process for the project. The comment is acknowledged herein; no response is required.

Water Resource Impacts.
Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

WHEELER CREST FIRE PROTECTION DISTRICT

Board of Directors
129 Willow Road, Swall Meadows
Bishop, CA 93514

September 7, 2000

Mono County Planning Department
PO Box 8
Bridgeport, CA 93517

RE: Rimrock Ranch Draft Specific Plan/EIR dated 15 July, 2000

Our Board has no comments regarding any documents related to the Rimrock Ranch project other than this Draft Plan/EIR. As they are presented to us, we will review the detailed tract maps and, upon our approval, will provide a "Will Serve" letter for each tract.

With regard to the subject Draft Plan/EIR, provisions of this plan need to comply with PRC 4290, Mono County Ordinance 91-06, and other codes that relate to fire protection. It appears to us that there are many requirements and guidelines in the subject EIR that may be in conflict with these codes. We strongly suggest that you add a statement in a prominent location in the Plan/EIR that these Fire Protection codes and regulations be complied with and that they be given precedence over other provisions of the Plan/EIR.

Finally, we recommend that "Fire Safe" wood shingles be deleted from policy 4b, p22 of the EIR.

Please feel free to call me (387-2312 or 2637) or our Chief, Dale Schmidt (387-2955) with any questions regarding this letter.

Sincerely,

Al Ferrenberg

Allan Ferrenberg, Chairperson

Response to Comment # 5 from Wheeler Crest Fire Protection District, dated September 7, 2000

Will Serve Letter.
This comment is informational and does not require a response.

Fire-safe Requirements.
Chapter 19.26, Fire-safe Regulations, of the Mono County Code (Chapter 22 of the Land Development Regulation in the Land Use Element) addresses requirements for fire protection. Those regulations establish basic wildland fire protection standards for emergency access; signing and building numbering; emergency water supplies; and vegetation modification.

Although the Rimrock Ranch Specific Plan has been designed in compliance with the Fire-safe Regulations, the following policy has been added to the Specific Plan to clarify the need for compliance with those regulations:

> Natural Resource Conservation Policy 17:
> The project shall comply with the Fire-safe Regulations (Mono County Code 19.26; Land Use Element, Land Development Regulations Chapter 22) pertaining to emergency access; signing and building numbering; emergency water supplies; and vegetation modification (see also Infrastructure Policy 3 pertaining to emergency water supplies; Design Guidelines Policy 10 pertaining to landscaping and vegetation modification; and Traffic Policy 3 pertaining to fire-safe standards for roadway construction).

In response to this comment and similar ones, Design Guidelines Policy 10a has been modified as follows to eliminate conflict between the fire-safe regulations and requirements for onsite landscaping/revegetation:

> Landscaping shall be used to minimize potential visual impacts resulting from development and to provide vegetative screening ~~around structures~~ to reduce deer avoidance of developed areas (C.C.&R's and Taylor, 1993). Screening cover should be planted in a minimum 20-foot-wide band ~~around each residential site~~ **along property boundaries and established deer use areas (see the Amended Deer Use Maps, Appendix B of the FEIR)**, consisting of an inner strip of **indigenous** trees and an outer dense strip of ~~native~~ **indigenous** shrubs.

Fire-safe Wood Shingles.
In response to this comment, Design Guidelines Policy 4b has been modified as follows:

> Roofing shall be ~~fire-safe wood shingles~~, fiberglass shingles or metal in colors compatible with the area (e.g. tan, brown, dark green, or similar colors).

Sierra Wildflowers

LYN HABER, PHOTOGRAPHER
730 Rimrock Drive
Swall Meadows, CA 93514
Phone: 760-387-2458 Fax: 760-3B7-2459
Email: haberhfc@telis.org

Mono County Planning Department
P.O. Box 8
Bridgeport, CA 93517

Sept 7, 2000

Dear Planning Department:

I am writing with respect to the Rimrock Ranch Draft Specific Plan/EIR.

First, thank you for the obvious, tremendous care that went into this document, including constant references to the Wheeler Crest General Plan, and constant attempts to comply with the intent of the community as well as the explicit General Plan.

The concerns I wish to raise have two components: how certain policies, as spelled out in the Rimrock Ranch Draft Specific Plan (RRDSP) can be measured; and who enforces them (or how). For example, on page 19, Policy 4a stipulates that permanent clearing of native vegetation...shall be limited to 20% of the lot area. Who will monitor how much is cleared and how much replanted with native vegetation? That requires ongoing monitoring.. Second, suppose someone buys two or more adjacent lots for one dwelling. I suggest in this instance the owner be restricted to clearing only 20% of the lot on which the house is built. My intent is to prevent, for example, a horse pasture that covers 20% of a second lot. This would be bad for deer corridors.

Another problem concerns lighting, under Design Guidelines. On page 22, policy 2 requires that exterior lighting be shielded such that no light falls on a public street or adjacent lot or land area. The RRDSP should be amended to spell out how that is measured and who measures it and who monitors it.

Under Natural Resource Conservation on page 24, Policy 9 states that property owners shall refrain from clearing native vegetation except as necessary for construction. Who decides how much

clearing of native vegetation is necessary for construction, and who monitors how much is cleared? What happens if too much is cleared? The same questions apply in principle to Policy 11.

I applaud the Policies: My questions concern how they are to be realized.

I have two issues where I would like to see the content of the RRDSPP changed. The first concerns barbed wire, which can harm deer (and people). Can't plain wire be used and barbed wire be prohibited?

Second, while computer modeling was used to assure the Mono County Planning Department that there is adequate water to support this development, it seems very likely to me that either the program contains some kind of error, or that ungrounded assumptions were made. I would like an outside consultant who specializes in underground water supply to analyze whether adequate water exists in Swall Meadows to support the usage outlined in the RRDSP. Further, the RRDSP should be amended to spell out what mitigation procedures will be used if there is NOT enough water and the surrounding community finds itself with dry or impoverished wells.

Sincerely,

Lyn Haber

Response to Comment # 6 from Lyn Haber, dated September 7, 2000

Implementation/Enforcement of Specific Plan Requirements.
Compliance with State and local development requirements, including Specific Plan requirements, is the responsibility of County staff. Throughout the development process and afterwards various County personnel are responsible for ensuring that the development complies with all applicable policies and regulations, including staff from the following departments: Planning, Building, Public Works, Environmental Health, and Code Compliance.

Barbed-wire Fencing.
In response to this comment and similar ones, Design Guidelines Policy 6 in the Specific Plan has been modified as follows:

> The total fenced area on any parcel shall be limited to the total area disturbed onsite as allowed under Land Use Policy 3a above. Fencing shall be three-strand ~~barbed-wire~~ or three-rail pipe or wood fence. Solid wood fencing may be constructed within the immediate vicinity of a structure but shall encompass an area not greater than 1 acre (C.C.& R's and Taylor, 1993).

In response to this comment and similar ones, Design Guidelines Policy 7 in the Specific Plan has been modified as follows:

> ~~Barbed-wire~~ fences shall consist of 3single-strand wires placed 20, 30 and 42 inches from the ground. ~~with the bottom~~ All wire shall be smooth strand (Taylor, 1993).

Water Resource Impacts.
Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

09/12/00

Keith Hartstrom,

I have some questions regarding the Rimrock Ranch EIR that I hope you can answer.

#1. The Wheeler Crest Area Plan designates the proposed project area as Low Density Residential and calls for overall densities in the Wheeler Crest Planner Area not to exceed one unit per two acres and for a two acre minimum lot size. (Mono County General Plan Land Use Element, Wheeler Crest Area Plan, Objective A, Action 1.1)

Under: III Specific Plan Goals, Policies & Implementation Measures –Land Use policy 3b page 18 it states:

One detached guest house per parcel is allowed.

Isn't this a contradiction of the above one unit policy?

In addition, Policy 3c states detached secondary residences shall not be permitted.

Isn't a detached guest house considered a detached secondary residence?

#2 Also under policy 3, letter f states: Horses and other large animals (i.e. sheep, llama, cattle and other grazing animals) in compliance with the MCZDC animal standards are permitted.

a. How many gazing animals are permitted on 2 acres?

b. Do we have any statistics on the affect of grazing animals on the migrating deer herds? Will they be competing for feed, natural cover, etc.?

#3 Policy 4c pg. 20 Minimum Building Size.

Why is there a minimum building size when we are trying to protect the dwindling Round Valley deer herd and give them more open space? Isn't it a contradiction to require homes to be at least 1600 sq.ft. when in actuality we need more open space to protect the deer? Why have a minimum?

#4 pg.21 Infrastructure (Utilities & Services) policy 2

Where is the "will serve" letter from the Wheeler Crest Community Services District indicating that the CSD has adequate water capacity to serve the proposed project?

#5 pg35 A.1.d.

1. How was well no.3 chosen for the "trigger" well?
2. Would it be more appropriate to choose a well somewhere in upper Swall Meadows to monitor water levels?
3. Could well #3 and an additional well in upper Swall be "trigger" wells to monitor water levels in each area?
4. If after one year there are significant impacts in other wells, what is the plan for future development? This was not addressed.

5. Pg.20 Under Water Resource Assessment states: current levels of development have caused some decline in groundwater levels (from 1 to 40 feet, depending on the approach.). Is this a significant drop, and if so what is being done to address it?

6. Pg.75 Environmentally Superior Alternative

   Aside from Alternative 1- No Project, the environmentally superior alternative would be Alternative 2- Redesigned (Fewer Lots) since that alternative would result in the least amount of potential impact.

   1) Why is the project not following the Environmentally Superior Alternative?

   Pg.44 According to Wallmo et al. (1976) and Bormann (1976), rural housing developments in deer habitat with their accompanying increases in automobiles, snowmobiles, off-road vehicles, dogs and human activity, affect large areas beyond the actual boundaries of the development. As a result, the overall effect of these encroachments on mule deer habitat is greater than indicated by analyses of the actual area involved. Disturbances associated with housing developments on and adjacent to deer winter range significantly alter, reduce or eliminate deer use of an area (Mackie and Pac 1980). Smith and Conner (1989) reported that a one-acre loss in habitat can equate to a 2.5 acre loss in deer habitat due to

significant reductions in deer use around the area developed. Smith and Conner (1989) also suggested that when a house is built on deer range, deer affected by the house redistribute their use to just outside the zone of influence of the house. This could result in over utilization of more marginal habitats outside the zone of influence through increased interspecific competition for food and cover resources.

#7 What is the time frame for each of the phases in the Rimrock Ranch Subdivision?

Thank you very much for your time.

Allison Campanelli

Allison Campanelli

931 Swall Meadows Road

Swall Meadows, Ca.93514

Response to Comment # 7 from Allison Campanelli, dated September 12, 2000

Permitted Guesthouse Use.
The Rimrock Ranch Specific Plan allows one dwelling unit per parcel and one detached Guesthouse per parcel. A guesthouse is not considered a detached secondary residence.

A guesthouse is defined as follows (Section 19.01.560 of the Mono County Code; Section 02.560 of the Land Development Regulations in the Land Use Element):

> "Guesthouse" means an accessory use to a residence that may contain living and sleeping spaces, including bathrooms, but shall not contain facilities for the cooking of food. A guesthouse shall not be used as a dwelling unit for rental whether compensation is direct or indirect. A guesthouse cannot be located within any required setback area. On parcels of less than one (1) gross acre, guesthouses may not exceed 640 square feet and will be subject to Director review and approval. As a condition of approval, the owner shall record a "Declaration of Restriction" limiting the use of the unit to be that of a bona fide guesthouse. Said covenant shall include an accurate site plan showing all improvements and clearly indicate the guesthouse.

Secondary housing is defined as follows (Section 19.28.020 of the Mono County Code; Section 16.020 of the Land Development Regulations in the Land Use Element):

> "Secondary housing" (also referred to as "dependent" or "granny housing") means residential occupancy of a living unit located on the same parcel as the principal unit. It provides complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the primary unit is situated. It can be either attached or detached from the primary or existing residential unit depending on the lot or parcel size. If attached, it shall be clearly subordinate to the primary unit.

Permitted Number of Grazing Animals.
The effects of grazing animals on the deer herd are addressed in the Deer Study (Appendix B in the DEIR). Land Use Policy 3f in the Rimrock Ranch Specific Plan permits horses and other large grazing animals in compliance with the Mono County Zoning and Development Code animal standards. Mono County Code Section 19.03.270 (Section 04.270 of the Land Development Regulations in the Land Use Element) permits one horse or other large grazing animal per 10,000 square feet of lot area.

In response to comments received on the DEIR, and in order to minimize potential impacts to bighorn sheep in the Wheeler Crest area, Land Use Policy 3 f has been amended as follows:

> Horses and other large animals (i.e. ~~sheep, llama~~, cattle and other grazing animals) in compliance with the Mono County Zoning and Development Code animal standards (C.C. & R's). **Sheep, goats, and llamas are not permitted.**

Minimum Building Size.
The minimum building size is established in the C.C.& R's for the project.

Will Serve Letter from the Wheeler Crest Community Services District.
Infrastructure Policy 2 in the Specific Plan requires a "will serve" letter from the Wheeler Crest Community Services District (WCCSD) prior to the approval of the final tract maps. The WCCSD submitted a comment letter on the Rimrock Ranch DEIR (see Comment # 17). That letter

provides comments concerning the adequacy of the DEIR and applicable mitigation measures contained in the DEIR and the associated Specific Plan.

Water Resources Impacts.
Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

Environmentally Superior Alternative.
The purpose of an EIR is to provide information for the public and decision-makers. Regarding project alternatives, an EIR is required to "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives" (CEQA Guidelines Section 15126.6). The Alternatives Analysis section of the DEIR provides information concerning project alternatives. It is the role of the decision-makers on the project, the Mono County Planning Commission and Board of Supervisors, to approve, modify, or reject the project as presented and/or the alternatives.

Timeframes for Phasing.
Phasing is discussed in the Phasing section of the Specific Plan policies. The project applicant anticipates submitting final tract maps for each of the four phases as soon as the Specific Plan is approved.

Mono County Planning Dept.
P.O. Box 8
Bridgeport, CA 93517

Re: Rimrock Ranch Draft Specific Plan/EIR, Dated July15 2000

After reading the Draft EIR, we are writing this letter in support of the Rimrock Ranch project.

In 1998 we built our home in Swall Meadows. We purchased the lot from John Wilson and have been very impressed with his concern for the area and the help he has given us. We chose Swall Meadows for our home because of the beauty of the area and the wonderful views. We also read the Planning documents for the area and understood the scope of Mr. Wilsons project. We have every confidence in Mr. Wilson to manage his project in a responsible and environmentally friendly way.

James W. Lamb

Judith A. Lamb

301 Rimrock Dr. (Swall Meadows)
Bishop, CA
(760) 387-2130
pinenuts@gte.net

Response to Comment # 8 from James W. and Judith A. Lamb, dated July 15, 2000

The comments from the Lambs support the project and are directed to the Mono County Planning Commission and Board of Supervisors for consideration during the approval process for the project. The comments are acknowledged herein; no response is required.

Stephen Ingram Nature Photography

140 Willow Road, Swall Meadows, Bishop, CA 93514
phone: (760) 387-2913 fax: (760) 387-2961 e-mail: ingram@telis.org

Keith Hartstrom
Senior Planner
Mono County Planning Dept.
P.O. Box 8
Bridgeport, CA 93517

14 Sep., 2000

Dear Mr. Harstrom,

I would like to request an extenison of the comment period for the Rimrock Ranch Draft Specific Plan/EIR. I feel that the county was remiss in notifying Swall Meadows residents of the comment period after the DEIR was released. Mono County never put up any notices in our area, and with the cancellation of our RPAC meeting last week, concerned citizens are not aware that the comment period ends Sep. 21. The Draft Plan/EIR is dated July 15, and I was not aware of its release until Aug. 24 when I called you, even after repeated periodic requests since October, 1999 for an e-mail version.

Furthermore, the hard copy I have has several figures that are illegible (TEAM Engineering, Figs. 4, 10 and 11), and maps that are outdated (all plan maps in the Deer Study). Would it be possible to obtain clean copies of the Water Resource Assessment figures listed above? Please consider granting us more time to decipher the maps and figures and prepare comments of the Draft EIR. Thank you.

Sincerely,

Stephen Ingram

Response to Comment # 9 from Stephen Ingram, dated September 14, 2000

Comment period deadline.
The comment period for the Rimrock Ranch DEIR began July 21, 2000. The deadline was extended from September 21, 2000, to October 9, 2000, in response to comments such as the one above requesting the extension.

Clarity of Maps/Figures.
The figures in the Water Resource Assessment (WRA) have been reproduced more clearly in the FEIR (see Appendix A). The map in the Deer Study has been updated to show the current lot configuration in relationship to deer use areas and trails onsite (see Appendix B). Figures have been added to the FEIR to show onsite drainages and riparian vegetation (see Appendices C and D).

September 15, 2000

To: Mono County Planning Department
ATTN: Larry Johnston
P. O. Box 347
Mammoth Lakes, CA 93546
760-924-5458 (FAX)

Fm: Lyle K. Gaston
94 Mountain View Drive
Swall Meadows
Bishop, CA 93514
760-387-2634
760-387-2004 (FAX)
e-mail: lfoster@qnet.com

Re: Rimrock Ranch Draft Specific Plan/EIR

I request an extension of time for comments on the Rimrock Ranch Draft Specific Plan/EIR until October 21, 2000 for the following reason.

One of the most critical elements in the EIR is the Water Resources Assessment. The major question is whether water usage from the initial wells in 1958 through 1964 for development of Hilltop Estates, I, II and III and the later wells associated with the development of Hilltop Estates and more recently wells to provide water for Piñon Ranch have lowered the water table of the aquifer. Data for some of the wells in the area but not all are given in Table 4, Pages 9-10, Summary of Well Data, with the location of the wells given in Figure 4, Page 11, Location of Wells.

Figure 4 is of such a small scale that the numbers and locations of the wells are impossible to read. I have asked the Mono County Planning Department for a readable copy of Figure 4 so that I can evaluate the aquifer analyses. To date I have not been provided with a copy of Figure 4.

Thank you for your consideration.

Lyle K. Gaston

Lyle K. Gaston

SCALE 1:12,000
1 INCH = 1,000 FEET
TOPO CONTOUR INTERVAL = 50 METERS (LABELS IN FEET)
GROUNDWATER ELEVATION CONTOUR INTERVAL IS 100 FEET

SCALE IN FEET
0 500 1000

VECTOR GRAPHICS ADAPTED FROM USGS DIGITAL LINE GRAPHS FOR BISHOP 100,000 SCALE MAP (1993)

KLEINFELDER
4875 LONGLEY LANE, SUITE 100
RENO, NEVADA 89502
Tel. (775) 689-7800

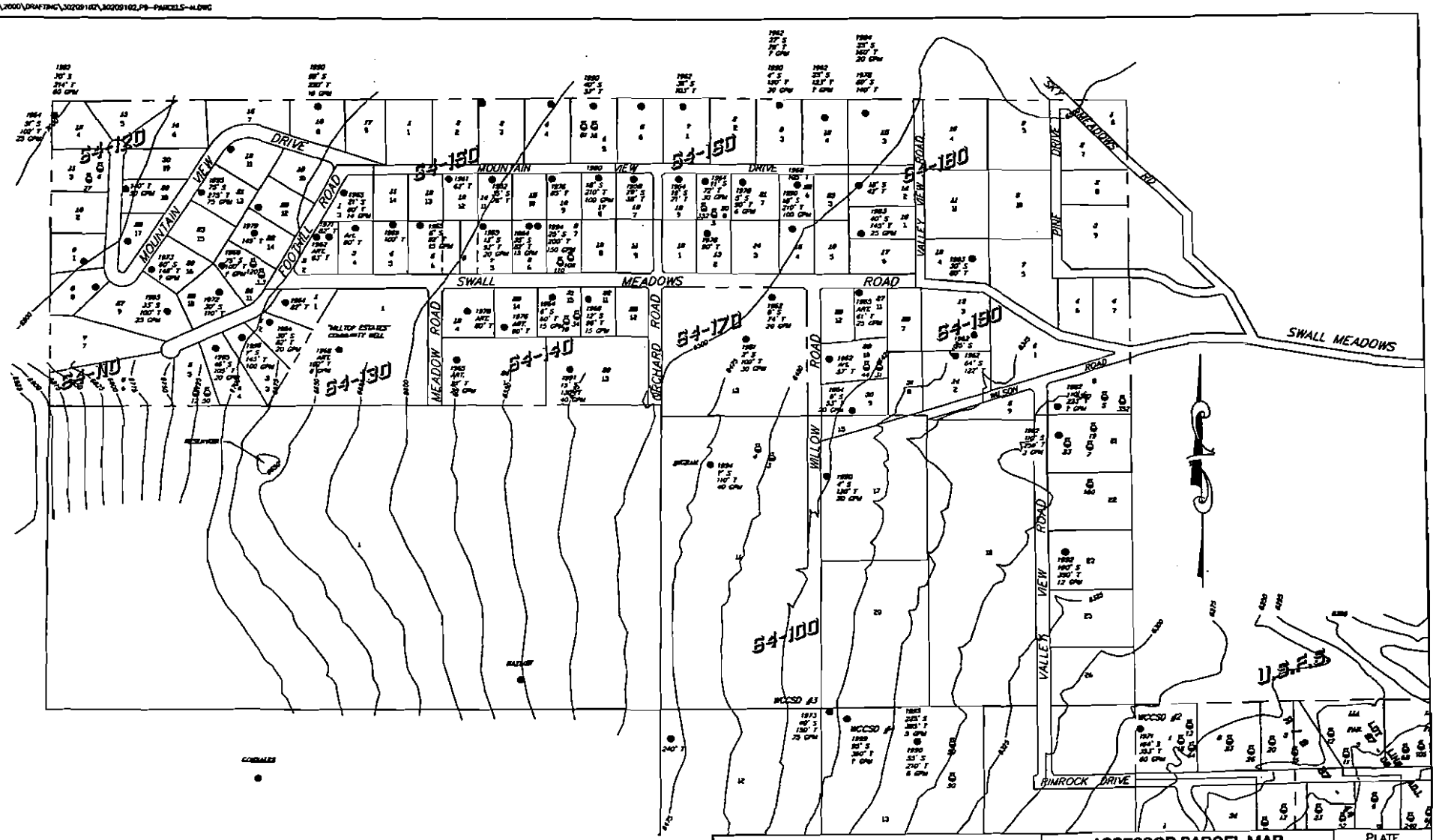
PROJECT NO. 30-2091-02.001

GROUNDWATER ELEVATION CONTOUR MAP

RIMROCK RANCH WATER RESOURCES ASSESSMENT
MONO COUNTY PLANNING DEPARTMENT, CALIFORNIA

PLATE
8

CAD FILE: L:\2000\DRAFTING\30209102\30209102_P9-PARCELS-ALDWG



SCALE 1:4,800
1 INCH = 400 FEET
CONTOUR INTERVAL = 25 FEET
BASE MAP FROM TRIAD HOLMES ASSOCIATES (5/18/1999)

SCALE IN FEET
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● DOMESTIC WATER WELL WITH YEAR DRILLED, DEPTH TO STATIC WATER LEVEL, TOTAL DEPTH, AND REPORTED CAPACITY (GPM)

KLEINFELDER
4875 LONGLEY LANE, SUITE 100
RENO, NEVADA 89502
Tel. (775) 689-7800

PROJECT NO. 30-2091-02.001

ASSESSOR PARCEL MAP, SWALL MEADOWS SUBDIVISION

RIMROCK RANCH WATER RESOURCES ASSESSMENT
MONO COUNTY PLANNING DEPARTMENT, CALIFORNIA

PLATE 9

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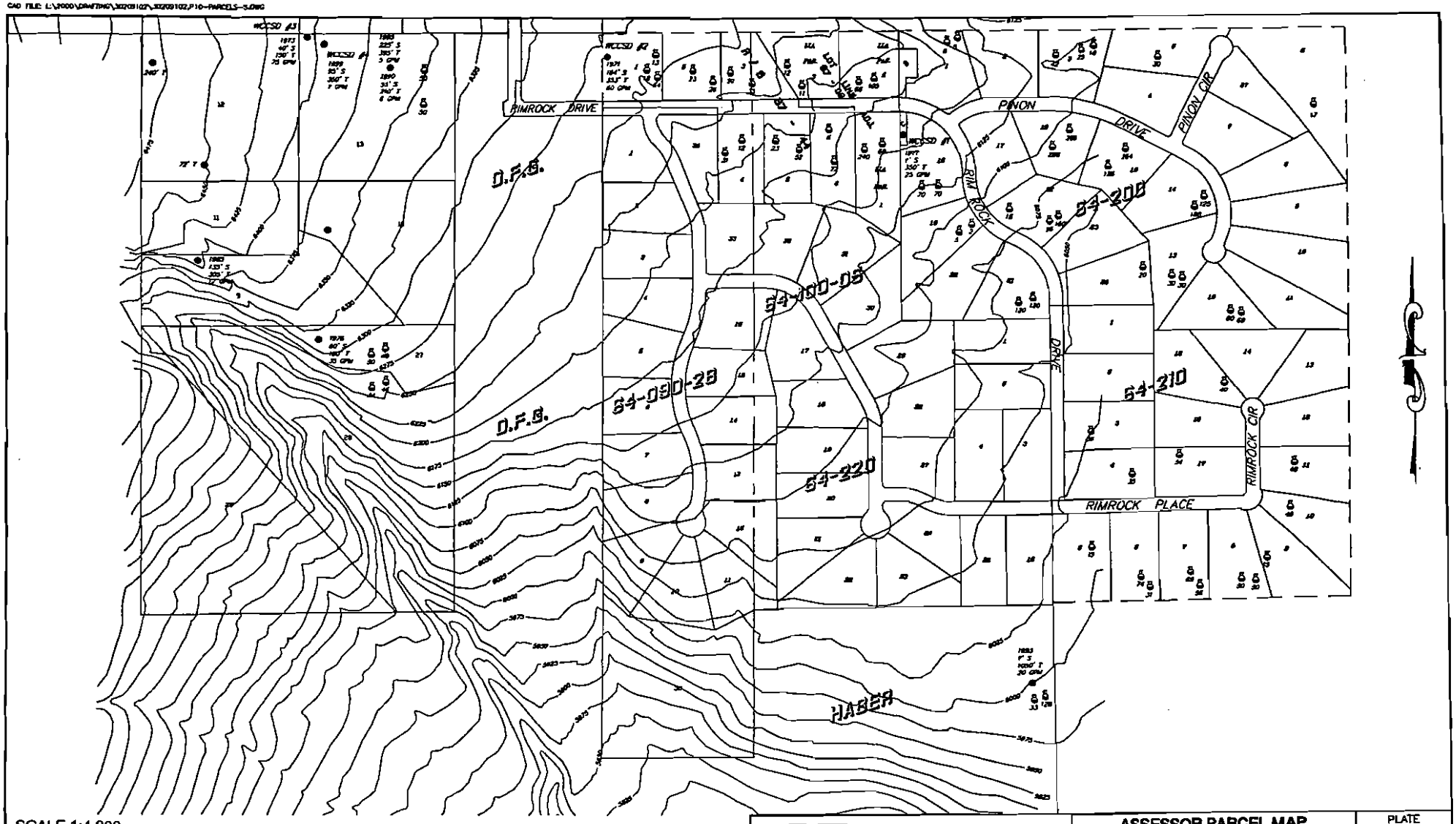

SCALE 1:4,800
1 INCH = 400 FEET
CONTOUR INTERVAL = 25 FEET

BASE MAP FROM TRIAD HOLMES ASSOCIATES (5/18/1999)

SCALE IN FEET
0 200 400

DOMESTIC WATER WELL WITH YEAR DRILLED, DEPTH TO STATIC WATER LEVEL, TOTAL DEPTH, AND REPORTED CAPACITY (GPM)

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4875 LONGLEY LANE, SUITE 100
RENO, NEVADA 89502
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PROJECT NO. 30-2091-02.001

ASSESSOR PARCEL MAP, RIMROCK RANCH SUBDIVISION

RIMROCK RANCH WATER RESOURCES ASSESSMENT
MONO COUNTY PLANNING DEPARTMENT, CALIFORNIA

PLATE
10

Response to Comment # 10 from Lyle K. Gaston, dated September 15, 2000

Comment period deadline.
The comment period for the Rimrock Ranch DEIR began July 21, 2000. The deadline was extended from September 21, 2000, to October 9, 2000, in response to comments such as the one above requesting the extension.

Clarity of Maps/Figures.
The figures in the Water Resource Assessment (WRA) have been reproduced more clearly in the FEIR (see Appendix A).

R.T. Dutcher.

518 Mountain View Dr.
Swall Meadows, CA.

September 15. 2000

Mono County Planning Commission
Yo Messr. Keith Hartstrom
P.O. Box 8
Bridgeport, CA. 93517.

Re: Rimrock Ranch Comment period.

Dear Mssr. Keith Hartstrom:

I am making a request on behalf of the people of the Wheeler Crest Area that the Mono County Planning Commission extend ~~the~~ The comment period on the Rimrock Ranch developement thirty days. (30 days) beginning on the 22nd of September 2000 and ending on either the 20th of, a Friday, or on the 23rd of October a Monday.

A brief Explanation:

What has mostly triggered this Comment extension request revolves around the abrupt cancelation of the September 6th 2000 Swall Meadows RPAC meeting. This was to be the first Local RPAC meeting after the release of the Rimrock Ranch Draft Specific Plan E.I.R.. Many of us had prepared a presentation for that specific meeting. As a member of a small Sub-RPAC group we had scheduled a meeting the night before (on the 5th of Sept.) to review our presentations. That too was canceled. It all ended with a really heart felt tragedy.

Most, if not all of the Sept. 6th meeting was to be given to the discussion of the Rimrock Ranch developement. The meeting was about informing the most active people in the community about Rimrock. — the RPAC group. I doubt that most of these people even. Know now that the comment period is coming to an end, that also can be said for the rest of the community.

Some of us were expecting an official County posting of the Comment period and related information. That didn't happen.

We had an official County posted notice leading up to the first phase of this Rimrock Developement, but that was about a meeting to be held in Bridgeport on July 21, 1998. At the present we are dealing with a "Comment period" date. I guess that makes a difference. What we really need to do is to clear up the confusion about County obligations and community expectations on procedures and notification.

I do hope the Planning Commission approves my request in behalf of the Swall Meadows Community for the 30 day extension. Thank you for your understanding and Consideration.

Sincerely,

Ray Dutcher.

Response to Comment # 11 from Ray Dutcher, dated September 15, 2000

The comment period for the Rimrock Ranch DEIR began July 21, 2000. The deadline was extended from September 21, 2000, to October 9, 2000, in response to comments such as the one above requesting the extension.

Stephen Kalish
892 Rimrock Drive
Bishop, CA 93514

17 September 2000

Mono County Planning Department
P. O. Box 8
Bridgeport, CA 93517

Re: Rimrock Ranch, Draft Specific Plan/EIR, dated July 15, 2000

Mono County Planning Department:

I live in Pinon Ranch, adjacent to the proposed Rimrock Ranch subdivision, and I offer the following preliminary comments on your Draft EIR. Although I made the drive to Bridgeport to testify at the public hearing before the Board of Supervisors regarding the zoning change for this project, and was clearly an interested party, I only learned of the release of this document in the past few days, and only obtained a borrowed copy of the Draft EIR for review yesterday. Clearly the affected community lacked proper notification of the release of this document, and I would join my neighbors in requesting a minimum 30-day extension of the comment period to allow adequate and informed responses by the local citizenry.

1. The Draft EIR ignores the potential adverse effect of surface groundwater runoff in relation to new roadways. I live at the bottom of Rimrock Drive (Incorrectly identified as Rimrock Place throughout the Draft EIR), and am already adversely affected by surface water runoff during periods of intense rain, or high snow melt. This has been an ongoing problem that has required the Mono County Public Works Department to bring heavy equipment into the neighborhood to open closed and improperly redirected drainage easements, and it will be seriously exacerbated by the roadways proposed for the Rimrock Ranch subdivision. The EIR needs to address this issue of roadway runoff, and require appropriate and adequate mitigation, e.g., drainage away from Rimrock Drive, and the down slope lots at the foot of Rimrock Drive.

2. Design hegemony. Proposed design guidelines (Policy 4d, p. 22) call for siding materials to have a "natural appearance compatible with the surrounding environment". This is unreasonably vague and restrictive, and could seriously limit creative and affordable building materials that have historically been used in the area, e.g., metal siding and cinder block. We have enough resawn plywood siding in the area, which is not only not fire safe, but tends to seriously deteriorate and degrade in the desert environment.

3. Cumulative impact of subdividing the Wilson homestead. This is the fourth or fifth subdivision made by the Wilson's in Swall Meadows, and has resulted in substantially all of the population in the area. While this proposed subdivison may *only* involve an *additional* 35 homes, the cumulative impact of Wilson subdivisions in the area is a relatively large population (relative to other unincorporated areas of Mono County), and it is high time that a dedication of land be required for use as a neighborhood park. A requirement for dedication of one of the northerly lots of this proposed subdivision for a community park would help make this a better community, and provide partial mitigation for the decades of Wilson subdivisions in the area.

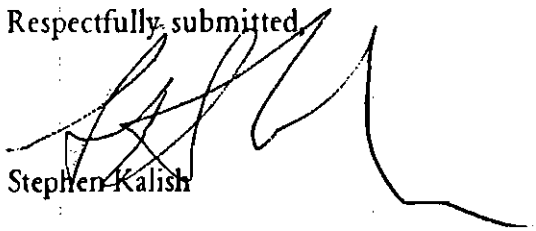
4. Water demand based on historic usage. Water use is projected from historic records of the Pinon Ranch subdivision, and such usage is fatally flawed as a tool for predicting usage in Rimrock Ranch. The figures for Pinon Ranch usage make no allowance for the number of unoccupied or second homes, or the trend towards landscaping with lawns and other high water-usage ground covers. Only a small percentage of Pinon Ranch homes use the majority of the water, and the trend is clearly for new homeowners to use substantially more water than their predecessors. The water district does not price excess water usage so as to discourage the "greening" of the desert, and the county should project much higher average water consumption than provided for in the Draft EIR, based on historic trends. A more accurate model would be to take the meter readings of the five highest usage homes in Pinon Ranch, during the highest use months of the summer, and anticipate that half of all the homes in the water district (after full build out of all three subdivisions) will eventually utilize that much water, and the other half of the homes will also utilize significant amounts.

5. Misleading and inaccurate documentation. The Draft EIR obfuscates zoning issues with maps such as that shown on page 19 (Land Use Map Figure 6). There the subject property is shown as zoned ER2, as is the adjacent property to the east. But in fact the subject property has been rezoned for 2 acre gross lots (meaning many if not most will be 10% or 15% smaller than 2 acres), while the existing Pinon Ranch subdivision is 2 acres net. The proposed building guidelines for Rimrock Ranch also require substantially larger building footprints on significantly smaller lots.

6. No affordability component. A glaring omission of the draft EIR is no provision for a portion of the lots to be affordable to low and/or moderate income households. I would encourage the county to require that 15% of the lots be affordable to median income residents of the unincorporated area of the county, and the minimum building footprint be substantially reduced for those affordable lots, so that affordable homes can be constructed on them.

If the County would extend the comment period for an additional month, I would take the opportunity to provide additional comments on this Draft EIR. In sum, I think the Draft EIR needs more work, and more mitigation, and should not be adopted or approved as written.

Respectfully submitted,



Stephen Kalish

Response to Comment # 12 from Stephen Kalish, dated September 17, 2000

Comment period deadline.
The comment period for the Rimrock Ranch DEIR began July 21, 2000. The deadline was extended from September 21, 2000, to October 9, 2000, in response to comments such as the one above requesting the extension.

Surface Runoff/Drainage.
A generalized drainage plan has been included in the FEIR (see Appendix C). That plan shows how drainage will be addressed to avoid onsite and offsite surface runoff and erosion impacts.

Building Materials ("Design Hegemony").
Design Guidelines Policy 4d, which requires siding materials to "have a natural appearance compatible with the surrounding environment", is consistent with Mono County General Plan policies (Conservation/Open Space Element, Visual Resource policies, Objective C, Policy 2 and Action 2.1), Wheeler Crest Area Plan policies (Objective A, Policies 2, 3 and Action 2.5), the C.C.& R's for the subdivision, and the Wheeler Crest Design Review District guidelines.

Request for Dedication of Lot as Neighborhood Park.
The provision of neighborhood park facilities is a community planning issue, best addressed by the community planning process, not by a Specific Plan for a development project. While the Mono County General Plan and the Wheeler Crest Area Plan support the development of community park facilities in all county communities, including Wheeler Crest, neither plan requires development projects to dedicate land for parks.

Water Resources Impacts.
Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

Zoning/Lot Size.
The Wheeler Crest Area Plan requires a minimum density of one dwelling unit per 2 acres in areas outside of existing developed areas (Mono County Land Use Element, Wheeler Crest Area Plan, Objective A, Action 1.1). The proposed development has been designated Estate Residential with a 2-acre minimum lot size (ER2) in compliance with that policy item.

Affordability Component.
While the Mono County Housing Element encourages "the provision of affordable housing to meet the needs of all economic segments and special housing groups" (Mono County Housing Element, Objective 2), there is no requirement for subdivisions to make a portion of the lots affordable to low- or moderate-income households. The Mono County General Plan does require the provision of affordable housing units for large development projects, such as resort developments, but that requirement is not applicable to this project.

KURT & TERRIE SCHROEDER
790 RIMROCK DRIVE
SWALL MEADOWS, CA 93514
(760) 387-2906
kschroeder@qnet.com

September 17, 2000

Mono County Planning Department.
Post Office Box 8
Bridgeport, CA 93517

Re: Rimrock Ranch Draft Specific Plan/EIR, Dated July15 2000

Dear Mono County Planning Department:

As Pinion Ranch homeowners, we were very interested in the contents of the subject document.

After a complete review, we fully support Mr. Wilson's planned development.

Sincerely,

Kurt C. Schroeder

Terrie W. Schroeder

Response to Comment # 13 from Kurt C. and Terrie W. Schroeder, dated September 17, 2000

The comments from the Schroeders support the project and are directed to the Mono County Planning Commission and Board of Supervisors for consideration during the approval process for the project. The comments are acknowledged herein; no response is required.

9-18-2000

Dear Sir,

Since our September 6, 2000 RPAC meeting was cancelled due to the sudden unavailability of the Mono County representative, could we possibly have an extension of the E.I.R. comment period for the proposed "Rimrock Ranch" development?

Thank You,

Dan Bacon - RPAC MEMBER
675 Mtn View
Swall Meadows
93514

Response to Comment # 14 from Dan Bacon, dated September 18, 2000

The comment period for the Rimrock Ranch DEIR began July 21, 2000. The deadline was extended from September 21, 2000, to October 9, 2000, in response to comments such as the one above requesting the extension.

Brian Cashore
105 Pine Dr.
Swall Meadows, CA 93514
(760) 387 2789

September 18, 2000

Mono County Planning Department
P.O. Box 8
Bridgeport, CA 93517

Re: Rimrock Ranch Draft Specific Plan/EIR

Dear Planning Department,

After reviewing the Rimrock Ranch Specific Plan/EIR I would like to submit the following comments:

1. As demonstrated by the current large increases in water use for landscaping and domestic use in Pinon Ranch, I feel that it is inadequate to rely on Rimrock lot owners as the implementing entity for the enforcement of native vegetation removal, landscaping, visual and human impacts, lot setbacks and other such environmental impacts.
2. The attempt to utilize the Wheeler Crest Community Service District to achieve *regional* water resource protection and monitoring is inadequate and inappropriate. The WCCSD has limited jurisdiction and authority to monitor private, domestic wells.
3. The conclusions derived from the Water Resource Assessment are based upon models and the currently best available data. This may not be reliable for long-term water resource assessment. A valid pump test and regular monitoring of the aquifer may be necessary to flush out some of the assumptions made in the modeling.
4. The above comments illustrate the necessity for a water and/or natural resource monitoring and protection plan or provision within Mono County rather than attempting to accomplish this solely through private landowners or community service districts.

Thank you for the opportunity to comment on this plan.

Sincerely,

Brian Cashore

Brian Cashore

Response to # 15 from Brian Cashore, dated September 18, 2000

Implementation/Enforcement of Specific Plan Requirements.
Compliance with State and local development requirements, including Specific Plan requirements, is the responsibility of County staff. Throughout the development process and afterwards various County personnel are responsible for ensuring that the development complies with all applicable policies and regulations, including staff from the following departments: Planning, Building, Public Works, Environmental Health, and Code Compliance.

Water Resources Impacts.
Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

KLEINFELDER
An employee owned company

September 19, 2000
File: 30-2829-01

Mr. Andy Holmes
Triad/Holmes Associates
P.O. Box 1570
Mammoth Lakes, California 93546

SUBJECT: Water Resources Rimrock Ranch
Mono County, California

Dear Mr. Holmes;

Kleinfelder has reviewed a portion of the Rimrock Ranch Specific Plan Environmental Impact Report (the EIR) relating to water resources and "Water Resource Assessment Rimrock Ranch Specific Plan", 1999, prepared by TEAM Engineering & Management (the report). The purpose of our review was to assess the recommendations made in the report and EIR as they relate to the operation of WCCSD Well #4.

Our review indicates that the potential impacts predicted by the operation of Well #4 are conservative in that a majority of the domestic wells are located hydraulically upgradient from Well #4 and are potentially completed in a different aquifer than Well # 4. These factors should lessen the potential impact from pumping Well #4. We provide the following conclusions regarding the recommendations presented in the report:

- The report states that it does not appear that operation of Well #4 would significantly impact the neighboring domestic wells. Therefore, an intensive monitoring program does not seem warranted.

- The recommendation to use private domestic wells for monitoring purposes carries with it multiple liability issues that will need to be addressed. Some of these issues include potential loss of measuring devices in wells, potential damage to well pumps from measuring devices, disinfection of wells after use, and potential of other perceived tort by landowner. Therefore, we would suggest that if monitoring is performed, another strategy should be developed. Development of a monitoring strategy should consider that there is apparently more than one subsurface hydrogeologic unit/aquifer and a steep hydraulic gradient that will nullify apparent drawdown in the aquifer at relatively short radial distances from the pumping well.

KLEINFELDER 4875 Longley Lane, Suite 100, Reno, NV 89502-5953 (775) 689-7800 (775) 689-7810 fax

- WCCSD Well #3 should not be used as a monitoring well as stated in the recommendations section of the report. During test pumping of Well #4 at rates of 78 to 100 gallons per minute (gpm), at least 22 feet of drawdown was observed in Well #3. Well #4 will be pumped at these rates during operation until the water tank(s) are full and the well pump automatically shuts off. Therefore, a "trigger" drawdown of 5 feet of water level decline does not appear to correspond with intended operations. The model used in the report pumped Well #4 at an average rate of 11 gpm and estimated drawdown at distances of one mile using this average rate. Drawdown close to the pumping well will be temporarily higher than predicted because the well will be pumped at higher rates for shorter time intervals.

- We agree that Well #3 should be monitored during pumping of Well # 4, but consideration of the hydrologic unit being monitored versus that being pumped by Well #4 needs to be adequately addressed to avoid implementing actions based on poor data and interpretation.

- Given the information presented, an alternate monitoring program consisting of biannual monitoring of the WCCSD wells should be instituted that would also assist the operators of the utility to best manage groundwater and assist in solving operational issues. Monitoring should occur in the spring prior to the irrigation season and in September at the conclusion of the irrigation season. These data will indicate if a long-term trend of decreasing water levels is occurring.

We hope that this letter assists you in assessing the recommendations made in the subject documents. Resumes of the report reviewers are attached. Should you require further clarification please feel free to call either of the undersigned at 775-689-7800.

Sincerely,

KLEINFELDER, INC.

Brett Whitford
Water Resource Services Manager

David Herzog R.G., C.E.G.
Senior Engineering Geologist

Attachments: Resumes

KLEINFELDER 4875 Longley Lane, Suite 100, Reno, NV 89502-5953 (775) 689-7800 (775) 689-7810 fax

Response to # 16 from Kleinfelder Engineering, dated September 19, 2000

Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, Kleinfelder has further reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

WHEELER CREST COMMUNITY SERVICES DISTRICT

129 Willow Road
Swall Meadows
Bishop, CA 93514

September 19, 2000

Mono County Planning Dept.
P.O. Box 8
Bridgeport, CA 93517

Re: Rimrock Ranch Draft Specific Plan
And Environmental Impact Report

Dear Planning Department:

Wheeler Crest Community Services District by its board of directors has reviewed the Rimrock Ranch Draft Specific Plan and Environmental Impact Report (EIR). As the future water provider for the Rimrock Ranch development, WCCSD has closely reviewed and evaluated the EIR's analysis of the impact on water resources. This district has concerns about certain statements, requirements and conclusions contained in the report. These concerns are as follows:

At pages 31 through 35, *Water Resources*, the report imposes a mitigation and monitoring program on WCCSD.

1. According to the Water Resource Assessment, it is estimated that at build-out the development will use approximately 15.81-acre feet annually (page 32). This is less than 0.1% of the 20,000 acre feet of annual available inflow (page34). The EIR concludes that the potential for impact on other area wells is low. It is further stated that operation of well #4 at 5.15 million gallons per year (15.81 acre ft.) "will not have significant impact on the area" (page 34). This would indicate that a monitoring program by WCCSD is not needed.

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MONO COUNTY
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2. The directors do not believe that it is reasonable to require the district to take annual groundwater level readings of all other wells in the area (page 35, A.1.a.). "All other wells in the area" are individual wells on private properties not within the district. Water level readings of these wells would seem to be of little value without knowing the use or pumping rates. There are private wells proximate to well #4 which are used for extensive irrigation. There would be no way of determining whether any observed impact was the result of well #4 or these private wells.

3. There are approximately 71 existing area wells which are outside the district and are not monitored. Since the EIR calls for the collection of data from these wells, it would seem appropriate for Mono County to monitor the wells since they are beyond the jurisdiction of WCCSD.

4. Even with "developer funding", the monitoring of all area wells would prove to be a hardship on a small district which relies heavily on volunteer labor. Also, it would not be feasible to determine in advance the cost of such a long-term program. The developer might have sold the last parcel in the development and no longer be accessible while the monitoring program is still in progress. The Rimrock development may have to be incorporated into a new zone of benefit with adequate assessments to fund the testing programs.

5. To develop estimates of the elevation of the measuring point of each well not in the district would likewise prove to be an unreasonable burden on WCCSD (page 35, A.1.b.).

6. WCCSD can only provide total monthly amounts for water consumed in the district (page 35, A.1.d.). Each well is not separately fitted with a flow meter or other such recording device.

7. There are approximately 55 vacant parcels in the area which may eventually require private wells. It should be noted these 55 vacant lots plus the existing 71 parcels with wells, means that there is the potential for 126 private wells in Swall Meadows. The EIR does not address the potential impact of these individual parcels and their potential impact on water resources. WCCSD has a water use rate schedule for the Pinon Ranch which is designed to discourage high water consumption. The Rimrock development will be subject to such a progressive rate schedule. There are no water use mitigation measures in effect for any non-district wells.

Considering the foregoing, the board of directors does not believe it would be appropriate to impose the recommended EIR monitoring programs on WCCSD. It is the duty of WCCSD to insure an adequate and uninterrupted supply of pure water to users. WCCSD

will, as it deems necessary, continue to monitor its wells and implement whatever mitigation programs may be considered appropriate. Also, WCCSD should not be responsibility for monitoring area wells not within its jurisdiction.

Very truly yours,
WCCSD

By _____
Bill Goodman, President of the Board

Response to # 17 from Wheeler Crest Community Services District dated September 19, 2000

Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

Mono Co. Planning Dept
Keith Hallstrom
Bridgeport Ca.

As a Resident of Swall Meadows I am writing regarding the DEIR on the Rimrock Ranch Development.

First, the comment period needs to be extended. The document is difficult to decipher and there needs to be clarification on some of the data used.

My main concern is the Water Resource assessment. TEAM Engineering Reports cites their own lack of enough data to properly analyze the effects of projected pumping. Perhaps more adequate testing needs to be done.

Thank you for your consideration in these matters

Sincerely
Jeanne Walter
9 Wilson Rd
Swall Meadows
Ca 93514

Walter
PO Box 253
Bishop Ca 93515

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MONO COUNTY
CDD/PLANNING

Response to # 18 from Jeanne Walter dated September 20, 2000

The comment period for the Rimrock Ranch DEIR began July 21, 2000. The deadline was extended from September 21, 2000, to October 9, 2000, in response to comments such as the one above requesting the extension.

TO: Mono County Planning Dept.
P.O. Box 8
Bridgeport, CA. 93517

Date: 09/20/00

Subject: Rimrock Ranch Draft- Specific Plan /EIR, Dated July 15, 2000

This letter is being written to **voice our support** of the Rimrock Ranch Project. We have lived in Swall Meadows, specifically Pinon Ranch, for 10 years and we are **very** proactive towards maintaining the **"quality of life"** in this area. We have **studied** the Planning documents with **great interest** and we have discussed at **great lengths** this project with John Wilson. **Mr. Wilson has overwhelmingly satisfied our questions and dispelled all concerns and doubts.** We have come to know Mr. Wilson as a **devoted humanitarian and a staunch environmentalist.** We have observed his work **firsthand** and have seen Mr. Wilson take **every precaution necessary to protect the land and preserve our environment. We have investigated all aspects of this project and we therefore endorse and support 100% the occurrence of this project.**

Thank You,

William Goodman
Barbara Goodman
940 Rimrock Dr. Rt. 2 (Swall Meadows)
Bishop, CA. 93514
(760) 387-2417
bgoodmanb@aol.com
Bgoodman@EDD.CA.GOV

Response to # 19 from William and Barbara Goodman dated September 20, 2000

The comments from the Goodmans support the project and are directed to the Mono County Planning Commission and Board of Supervisors for consideration during the approval process for the project. The comments are acknowledged herein; no response is required.

DEPARTMENT OF FISH AND GAME
Inland Deserts-Eastern Sierra Region
Bishop Field Office
407 W. Line Street
Bishop, CA 93514
(760) 872-1171

September 20, 2000

Mr. Larry Johnston
Mono County Planning Department
P.O. Box 347
Mammoth Lakes, CA 93546

Rimrock Ranch
Draft Specific Plan/Environmental Impact Report
SCH# 1998092066
Mono County

Dear Mr. Johnston,

The Department of Fish and Game has reviewed the Draft Specific Plan/Environmental Impact Report (EIR) for Rimrock Ranch. The proposed project is for a Specific Plan for 180 acres, including subdivision of 35 two-acre lots on 80 acres and establishment of a 100-acre wildlife corridor within the Wheeler Crest area of Mono County. Wildlife resources potentially affected by the proposed project include Sierra Nevada Bighorn Sheep, State and Federal Endangered; mule deer; mountain lion; mountain quail; and other associated upland bird and mammal species.

The Department is providing comments on this Draft EIR as the state agency having the statutory and common law responsibilities with regard to fish and wildlife resources and habitats. California's fish and wildlife resources, including their habitats, are held in trust for the people of the State by the Department (Fish & Game Code section 711.7). The Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitats necessary for biologically sustainable populations of those species (Fish & Game Code section 1802). The Department's fish and wildlife management functions are implemented through its administration and enforcement of the Fish and Game Code (Fish & Game Code Section 702). The Department is a trustee agency for fish and wildlife under the California Environmental Quality Act (see CEQA Guidelines, 14 Cal. Code Regs. Sec. 15386(a)). The Department is providing these comments in furtherance of these statutory responsibilities, as well as its common law duty as trustee for the public's fish and wildlife.

The Department has concerns with the mitigation proposed for the subdivision of the 80 acres. The document states on Page 36, that a potential impact of the project will be the removal of native vegetation will remove habitat and forage for local wildlife, particularly the deer herd (Impact B). The Department concurs with this potential impact. However, mitigation measure #7 states that 160 acres owned by the Department of Fish and Game will be designated as Open Space/ Natural Habitat Protection. While we agree that this designation is appropriate for protection of the migration corridor through the area, we disagree that this designation is appropriate mitigation for loss of habitat associated with the development of 80 acres. The 160 acres that the Department purchased (100 acres from the subject landowner and 60 acres from an adjacent landowner) were purchased several years ago, and we have no recollection that the purchase was related in any way to potential development of the remaining 80 acres. The parcel was purchased because of its value as a migration corridor, and should be considered as a stand alone project that was never intended to be mitigation for development of the 80-acre portion. We believe the document is misleading in that it represents that the Department purchased the 100 acres from the current landowner, as mitigation for future development of the remainder. We do not believe it is appropriate to use the designation of DFG land as open space as mitigation for development of an adjacent landowner's property. The current proposal to subdivide the 80 acres should have mitigation developed which will offset the loss and/or degradation of habitat within the 80-acre development.

The additional mitigation measures proposed on Pages 37-40 of the document do not fully reflect those measures contained in Tim Taylor's 1993 deer study of the project site. It appears that the project has been redesigned to accommodate many of the mitigation measures recommended in Mr. Taylor's report. However, updated maps and overlays have not been provided in the document, in order to allow the reviewer to determine if the specific areas identified in Mr. Taylor's report have been protected in the new design. New map overlays should be created which will allow to reviewer to compare the important deer use areas identified in the 1993 report, and the area proposed for development in the current document.

It also states on Page 38 of the Taylor 1993 deer study that the pending purchase by DFG of a migration corridor through the area would substantially reduce impacts to mule deer. However, the report goes on to state that "However, the overall impact of loss of migration and winter habitat constitutes a significant environmental affect which cannot be mitigated to a less than significant level".

The Department also disagrees with the statement on Page 72 of the Draft EIR that implementation of the Rimrock Ranch Specific Plan will not produce cumulative impacts because the subject property has been identified for development in the Wheeler Crest Area Plan and is adjacent to existing developed areas. The Department believes any and all additional development within the Round Valley Deer Herd migration corridor and winter range will likely have cumulative impacts which should be addressed in any environmental document produced for the area. Some of these

developments include Pine Creek Communities at Rovana (Inyo County), Sierra Business Park, Mammoth Airport Expansion, Lakeridge Ranch, and developments within the Town of Mammoth Lakes.

In conclusion, the Department believes the of potential impacts of the project have not been adequately discussed, and that the proposed mitigation is not adequate to reduce impacts from the project to a less than significant level. The document should be amended to include a discussion of the potential impacts not only to the Round Valley Deer Herd, but also to Sierra Nevada Bighorn Sheep, and mountain lion. Additional mitigation measures to offset impacts to these species should be developed, and the document should be recirculated.

Thank you for the opportunity to comment on the proposed project. If you have any questions, please contact Ms. Denyse Racine, Environmental Specialist, at (760) 872-1158.

Sincerely,

Denyse Racine for

Darrell M. Wong, Supervisor
Habitat Conservation Program

cc: D. Racine
R. Thomas
D. Wong

Response to # 20 from California Department of Fish and Game dated September 20, 2000

Purchase of 100-acres by DFG Not Intended as Mitigation for Development of 80-acre Site.
The Rimrock Ranch project proposal originally included the 100-acres sold to DFG as well as the 80-acres currently proposed for development. In the early 1990s, DFG staff met with the project proponent and his engineer to review proposed development layouts for a larger project that included the entire 180-acres. The project proponent paid for two wildlife studies that covered the entire 180-acres. The intent of those studies was to identify which land to preserve to protect wildlife in the area and which land would be best for development. After the studies were completed, DFG staff met onsite with the project proponent, the project engineer, wildlife consultant Tim Taylor, and Mono County staff. It was determined by DFG that wildlife in the area, primarily the Round Valley deer herd, would be best protected by confining development to the area adjacent to the existing Pinon Ranch and by DFG purchasing the remaining Rimrock land to the west of the area considered for development.

The development site of the Rimrock Ranch proposal shrunk to its current area and size as a direct result of DFG involvement and the associated wildlife studies that led to the sale of 100-acres to DFG. The current Specific Plan is not a new or separate development proposal. The seven years that have elapsed since the 1993 sale of the 100-acres to DFG have been expended in preparing various economic and environmental documents, prior to writing the Specific Plan/DEIR; i.e., financial viability study of reduced development, sewage disposal studies and field work, hydrology study.

Deer Study Map.
The map in the Deer Study has been updated to show the current lot configuration (see Appendix B).

Deer Study Conclusion That Project Cannot Be Mitigated to Less-than-significant level.
The Deer Study concludes that, even with mitigation, the project would incur unavoidable significant impacts to the Round Valley deer herd. The DEIR misstated this conclusion by stating that potential impacts to the deer herd could be mitigated to a less-than-significant level. The FEIR has been modified to correct this misstatement; even with mitigation, the project would result in unavoidable, significant impacts to the Round Valley deer herd.

Cumulative Impacts Analysis for Deer Herd.
In addition to Rimrock Ranch, the following projects are located within the migration corridor and winter habitat of the Round Valley deer herd: Pine Creek Communities at Rovana, Inyo County, Lakeridge Ranch, Sierra Business Park, Mammoth Airport Expansion, Sherwin/Snowcreek Ski Area, Eastern Sierra College Center in Mammoth, and Intrawest Resort developments in Mammoth. The potential for each of these projects to contribute to cumulative impacts on the Round Valley deer herd is summarized below.

Pine Creek Communities (Rovana, Inyo County) is a subdivision project in Rovana, in Inyo County, which is currently undergoing environmental review. The effects of that project on the Round Valley deer herd are unknown.

Lakeridge Ranch Estates is a 119-lot subdivision on 80-acres in Crowley Lake. The EIR for the Lakeridge Ranch Specific Plan concluded that the project would not impact existing deer herd habitat and would therefore not contribute significantly to cumulative impacts to the deer herd. In the Crowley area, the Round Valley deer herd's migration corridor follows the base of the eastern escarpment of the Sierra Nevada, immediately to the south of the community of Crowley Lake, and south of the project site.

Sierra Business Park is a light industrial development located on 36 acres which were previously used as a borrow site for aggregate materials. The site is located in Long Valley, on the south side of Hwy. 395, approximately 3 miles south of the junction of Hwys. 395 and 203. The EIR for the project concluded that the project would not impact existing deer herd habitat and would therefore not contribute significantly to cumulative impacts to the deer herd.

Mammoth Airport Expansion. The 1997 EIR for the proposed Airport Expansion concluded that the project would have a moderate impact on deer migration, based on findings that deletion of the crosswind runway and golf course had substantially decreased potential impacts on the deer herd, and that the airport is not located within the major deer migration route which follows the base of the Sierra Nevada escarpment to the south of the project site.

Sherwin/Snowcreek Ski Area. This project has been in a hiatus for some time and its future is uncertain. The 1997 Record of Decision for the project found that the project would result in an unavoidable loss of habitat, but concluded that the impacts were reduced to an acceptable level by mitigation measures including a) restrictions on construction during the deer migration period, b) vegetative screening of facilities, c) restrictions on fencing that would block deer access, d) offsite habitat improvements to improve water sources and forage conditions in the holding area, and e) monitoring to track the efficacy of these measures.

Eastern Sierra College Center in Mammoth. This proposed project is within the urbanized area of Mammoth Lakes and is not anticipated to impact the deer herd significantly.

Intrawest Resort developments in Mammoth. These projects are within the urbanized area of Mammoth Lakes and are not anticipated to impact the deer herd significantly.

Six of these projects are not anticipated to have a significant effect on the deer herd because of their location or the project's status. The seventh project, Pine Creek communities at Rovana, may have an unknown effect on the deer herd. The FEIR for Rimrock Ranch concludes that potential impacts to the deer herd would not be mitigated to a less-than-significant level; therefore, the project is also anticipated to contribute significantly to cumulative impacts to the Round Valley deer herd.

EIR Should Address Sierra Nevada Bighorn Sheep and Mountain Lions.
The bighorn sheep is an endangered species known to exist on higher elevations on Wheeler Crest to the west of the project site. They generally do not utilize the lower habitat at the base of the Wheeler Crest which includes the single-family residential areas in Swall Meadows, Pinon Ranch, and the proposed Rimrock Ranch. During certain weather conditions, such as heavy snowfall winters, they may briefly utilize lower habitat to forage.

In order to minimize potential impacts to bighorn sheep in the Wheeler Crest area, Land Use Policy 3 f has been amended as follows:

> Horses and other large animals (i.e. ~~sheep, llama~~, cattle and other grazing animals) in compliance with the Mono County Zoning and Development Code animal standards (C.C. & R's). Sheep, goats, and llamas are not permitted.

Mountain lion is a protected species which tends to be associated with the Round Valley deer herd and the bighorn sheep herd as predator of the herds. To some extent, the deer herd may find refuge from the mountain lions in the developed area of Wheeler Crest.

The 100-acre DFG parcel to the west of the project site provides travel routes, water, and forage not only for the deer herd but for other wildlife in the area, including bighorn sheep and mountain lions.

California Regional Water Quality Control Board
Lahontan Region

Winston H. Hickox
Secretary for Environmental Protection

Victorville Office
Internet Address: http://www.swrcb.ca.gov/rwqcb6
15428 Civic Drive, Suite 100, Victorville, California 92392
Phone (760) 241-6583 • FAX (760) 241-7308

Gray Davis
Governor

September 21, 2000

File: Mono County

Larry Johnston
Mono County
P.O. Box 347
Mammoth Lakes, CA 93546

COMMENTS ON RIMROCK RANCH DRAFT SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT (EIR), SCH#1998092066, MONO COUNTY

The Lahontan Regional Water Quality Control Board (Regional Board) office in Victorville has received and reviewed the Draft Specific Plan EIR for Rimrock Ranch. The project is described as 180 acres of land where approximately 100 of those acres will be designated as a wildlife corridor. The remaining 80 acres will be subdivided into 35 lots of approximately two acres. These lots will be zoned for single family dwellings.

During construction, the project will require a National Pollutant Discharge Elimination System General Construction Stormwater Permit, and development of Stormwater Pollution Prevention Plans (SWPPP). All projects with five acres or more of disturbance are required to have this permit. The SWPPP is to be provided to this office for review.

The Draft Specific Plan identifies drainage routes throughout the property. The project should be planned to avoid disturbance to streams and drainages. Any disturbances within a stream or drainage channel that results in dredge or fill requires a Regional Board 401 Certification of an U. S. Army Corps of Engineers 404 Permit. Included in the 404 Permit are the requirements for vegetative buffers along rivers, streams, or wetland areas. These requirements include maintaining native vegetation on stream banks.

The near surface presence of the impermeable Bishop Tuff underlying the project area creates special concerns for septic tanks and leach fields. The EIR should evaluate additional wastewater treatment options (including a sewer system) and potential impacts to the quality of surface and ground water. Increased nutrient loads to ground or surface water could potentially result due to discharges from; on-site sewage disposal (i.e., septic) systems; runoff containing fertilizers used by new residents; and soil erosion from new roads or other disturbed areas.

The draft EIR does not adequately address locations of wetlands in relationship to areas proposed for development. We request the EIR be revised to include maps delineating riparian and

wetland areas. The EIR must identify and evaluate potential impacts to these areas due to the proposed project.

The Draft Specific Plan needs to more completely evaluate the direct, indirect, and cumulative effects of the project with particular emphasis on the potential for cumulative impacts to ground or surface waters from potential impacts as described above

If you have any questions, please call me at (760) 241-7393 or Cindi Mitton at (760) 241-7413.

Sincerely,

Michele Ochs

Michele Ochs
Associate Engineering Geologist
Mono/Owens Unit

MO/rc/RimRockRanch

Response to # 21 from Lahontan Regional Water Quality Control Board dated September 21, 2000

NPDES Stormwater Permit and Stormwater Pollution Prevention Plans (SWPPP).
Natural Resource Conservation Policy 13 in the Specific Plan notes that the project shall comply with all requirements of the Lahontan Regional Water Quality Control Board.

Project Should Avoid Disturbances to Streams and Drainages.
The project has been designed to avoid disturbance to streams and drainages onsite. The only drainage course with an associated band of riparian vegetation that might or might not be jurisdictional wetlands is located along the north boundary of lot 31, a small part of lot 32 and through the middle of lot 34. That drainage already crosses Rimrock Drive in an existing culvert; new roads proposed for the project will not require additional culverting or crossing of the drainage.

Natural Resource Conservation Policy 15 in the Specific Plan requires all development to be set back at least 30 feet from the top of the bank of onsite perennial drainages in compliance with Mono County Code Section 19.03.130 (7)(b) and Land Use Policy 6 in the Specific Plan.

Land Use Policy 6 in the Specific Plan requires the 30-foot setback from the drainages in order to maintain open space along those drainages. Policy 6 also requires certain areas of riparian vegetation adjacent to onsite drainages to be preserved with open space easements to preserve wildlife habitat.

Wastewater Systems
Lahontan Regional Water Quality Control Board staff has reviewed the proposed engineered (pressure dosed sand bed) sewage systems for Rimrock Ranch and concurs with the Mono County Environmental Health Department decision for approval (Feay letter, 2/3/2000). Lahontan indicates that the engineered sewage systems are in compliance with the sewage disposal requirements of the Water Quality Control Plan for the Lahontan Region (Feay letter, 2/3/2000).

DARCY BAUER
Mammoth's Real Estate Solution!

RECEIVED
SEP 29 2000
MONO COUNTY
CDD/PLANNING

September 26, 2000

Mono County Planning Department
P.O. Box 8
Bridgeport, CA 93517

Re: Rimrock Ranch EIR

Dear Planning Department:

I write this letter in support of the EIR and development of John Wilson's remaining lots in Rimrock Ranch. I feel the subdivision is an asset to the county as prices in Mammoth have so skyrocketed it gets harder and harder for people to find quality land at affordable prices.

I would hope that you would move forward to approve the final phases of this subdivision.

Sincerely,

Darcy

Darcy Bauer

COLDWELL BANKER
LEISURE REAL ESTATE

P.O. BOX 1059 MAMMOTH LAKES, CA 93546
(800) 266-6166 • (760) 924-0220 • e mail: darcy@qnet.com

Response to # 22 from Darcy Bauer dated September 26, 2000

The comments from Ms. Bauer support the project and are directed to the Mono County Planning Commission and Board of Supervisors for consideration during the approval process for the project. The comments are acknowledged herein; no response is required.

From: JANWORK1@aol.com 10:32 AM
Subject: To: Harstrom/Rimrock eir
To: monocounty@qnet.com

Comments on the Rimrock Ranch Draft Specific Plan/EIR .

To Mr. Hartstrom, Mono County Planning,

Please note a few of my concerns with the Rimrock EIR. Water seems to be taken from an adjacent area and transported to the propsed development. What steps have been taken to remidy any problems which could occur if there is a shortage of water availability in the Lower Swall meadows areas in drought years? Will vegetation die off or deer migration be affected. Why can't water be pumped from deep wells directly beneath the Rimrock development? I would urge that some sort of wetlands monitoring be incorporated and that some form of pumping limits be established.

Robert Atleee- Swall meadows.

Response to # 23 from Robert Atlee dated September 28, 2000

Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

193 Foothill Rd.
Swall Meadows, CA 93514
10/1/00

Mr. Keith Hartstrom
Mono County Planning Dept.
PO Box 8, Bridgeport, CA 93517

Dear Mr. Hartstrom:

Because I realize that you and your colleagues will be barraged with criticisms (and I am in full support of those criticisms) of the numerous and obvious assumptions, inaccuracies, inconsistencies and glaring conflicts of interest in the Rimrock Ranch Draft Specific Plan/EIR, I will keep my comments to a more personal nature.

My wife and I chose our home in Swall Meadows for three very simple reasons: the quiet, the lack of traffic in and out of our community, and the deer that migrate each season through this area. As the Rimrock Ranch development is described in the abovementioned document, the project would seriously and significantly undermine the quality of the Swall Meadows community as it exists today.

I have come to realize in the last four years that Swall Meadows is a giant amphitheatre, and the stage is the developing Pinion Ranch and the proposed Rimrock project. Through our open windows we can hear conversations, cars starting, construction noise (presumably from the groundbreaking for Rimrock [is this legal given that the project has not yet been approved?]), and the ever-increasing traffic as more and more houses go in. And we are over a mile away from the source of much of this noise.

The deer and other fauna seem to hear it too, as their numbers appear to be on the decline over the last few years. My concern is that, with the proposed development and the ensuing years of construction noise, what we once knew as the Swall Meadows herd will abandon its migratory path altogether. No developer, no landowner and no county planning department has the right to cause that kind of ecological shift.

Most of all, I am concerned for the kind of precedent that the proposed Rimrock development will set for further Mono County development projects. As outside interest and financial investment in the Eastern Sierra grows, I see this project as a poor example of how our resources should be utilized.

Thank you for taking the time to consider my comments.

Sincerely,

Jeff Perry

Response to # 24 from Jeff Perry dated October 1, 2000

Noise and Impacts on Deer Herd.
The Specific Plan contains a number of policies to minimize noise impacts on wildlife in the area, particularly the deer herd. Natural Resource Conservation Policy 1 limits heavy construction activities to the period between May 15 and October 1 to minimize impacts to migrating and wintering deer. Natural Resource Policy 2 limits construction to daylight hours in compliance with the Mono County Noise Regulations (Mono County Code 10.16) in order to minimize impacts to noctural wildlife, such as mule deer. Natural Resource Conservation Policy 8 requires noise levels during construction to be kept to a minimum by compliance with requirements in the Noise Regulations.

In addition, the County Noise Regulations regulate development in residential areas on an ongoing basis after construction is completed.

Precedent for Future Mono County Development Projects.
Future development on private lands in Mono County will be subject to the CEQA process, allowing public participation and comment, just as the Rimrock Ranch project has been.

OCT 2 2000

DEAR KEITH,

THE DRAFT EIR FOR THE PROPOSED RIMROCK RANCH PROJECT LEFT ME WITH SOME QUESTIONS:

THE WATER RESOURCE ASSESSMENT LACKED ADEQUATE DATA. AQUIFIER TESTS, AREA WELL TESTING, AND RECOVERY RATE OF THE PROJECT WELL WERE NOT ADDRESSED. IT SEEM LOGICAL THAT GEOLOGIC TESTING IS NEEDED TO BETTER UNDERSTAND THE WATER FLOW IN SWALL MEADOWS. OF GREAT CONCERN IS THE ESTIMATED 5.15 MILLION GALLONS PER YEAR THAT WOULD BE PUMPED FROM THE PROJECT WELL. THE 1998 FIGURES USED TO ESTIMATE THIS NUMBER WERE NOT NECESSARILY ACCURATE, AND SINCE WATER USE HAS DOUBLED BETWEEN 1993 - 1998 IT MAY CONTINUE TO INCREASE, MAKING THE STATED FIGURE GROSSLY UNDERESTIMATED. IT IS MY UNDERSTANDING THAT THIS WELL WILL ALSO SERVE THE ALREADY ESTABLISHED PINION RANCH, WHICH MEANS EVEN MORE WATER MAY BE NEEDED. THERE IS NO MITIGATION PLAN CITED IN THE REPORT IN THE EVENT PROBLEMS DO OCCUR FROM THIS WELL PUMPING. THE TEAM ENGINEERING REPORT CITES LACK OF ENOUGH DATA TO ACCURATELY ANALYZE THE EFFECTS OF PROPOSED PUMPING.

THAT IN ITSELF SEEM LIKE A GOOD ENOUGH REASON FOR MORE TESTING.

THE DEER STUDY REPORT WAS CONTRADICTORY. THE ENVIRONMENTAL ANALYSIS STATES POTENTIAL IMPACTS TO DEER ARE MITIGATED TO LESS THAN A SIGNIFICANT LEVEL. BUT THE FINAL REPORT BY TIM TAYLOR STATES THE OPPOSITE. THIS PROPOSED PROJECT IS IN THE MIDDLE OF MIGRATORY CORRIDOR HABITAT. COMPLYING WITH FIRE SAFETY REGULATIONS RE: BRUSH CLEARANCE AROUND STRUCTURES WOULD FURTHUR COMPROMISE THIS HABITAT.

I FOUND NO SPECIFIC STUDY FOR RARE/ENDANGERED PLANTS OR ANIMALS. IT WOULD SEEM THAT MORE STUDY AND TESTING IS NEEDED BEFORE APPROVING AND PROCEEDING WITH THIS PROJECT.

I WOULD LIKE TO ADD THAT MY INTEREST IS NOT TO STOP THIS PROJECT, BUT TO SEE IT PROGRESS IN THE BEST INTEREST OF ALL WHO MAY FEEL THE IMPACT.

SINCERELY.

CHEYENNE MCAFEE
RED ANGEL RANCH
519 WILLOW
SWALL MEADOWS CA 93514

Response to # 25 from Cheyenne McAfee dated October 2, 2000

Water Resources Impacts.
Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

Deer Study Conclusion That Project Cannot Be Mitigated to Less-than-significant level.
The Deer Study concludes that, even with mitigation, the project would incur unavoidable significant impacts to the Round Valley deer herd. The DEIR misstated this conclusion by stating that potential impacts to the deer herd could be mitigated to a less-than-significant level. The FEIR has been modified to correct this misstatement; even with mitigation, the project would result in unavoidable, significant impacts to the Round Valley deer herd.

No Study for Rare/Endangered Plants and Animals.
The CEQA does not specifically require on onsite survey for rare and endangered species; it requires information concerning the presence of such species in the project vicinity. The need for a rare plant survey was obviated by the fact that information presented in the County's Master Environmental Assessment (MEA), the Deer Study (Taylor, 1993) and other environmental documents (Bagley, 1990) revealed that the likelihood the project site contains special status species is not great.

A review of the California Natural Diversity Database (CNDDB) showed no indication of rare or endangered animal species within the project area; additional surveys onsite are not likely to yield additional information. The primary wildlife concern in the project vicinity is the migration corridor and habitat for the Round Valley deer herd. That concern was addressed by specific wildlife studies and by the sale of 100-acres of the project site to the California Department of Fish and Game for preservation as wildlife habitat.

TO: THE MONO COUNTY BUILDING DEPT
c/o MR. KEITH HARTSTROM

RE: RIMROCK RANCH DRAFT E.I.R.

THE "RIMROCK RANCH" E.I.R RAISES QUESTIONS, EVEN THOUGH IT DESCRIBES A THOUGHTFULLY PLANNED SUBDIVISION. THE FIRST QUESTION IS - IS THIS A GOOD IDEA FOR THIS PARTICULAR, HALF BUILT-OUT COMMUNITY AT THE EDGE OF THE DESERT, AND OF WHAT BENEFIT IF ANY, IS THE PLANNED PROJECT TO THE EXISTING COMMUNITY AND WILDLIFE? THERE HAS NOT YET BEEN A PUBLIC HEARING ON THIS MATTER AT SWALL MEADOWS, ALTHOUGH THIS COMMUNITY WOULD EXPERIENCE YEARS OF DUST, NOISE AND DISRUPTION, AND WILL HAVE TO PROVIDE WATER WITHOUT COMPENSATION OR NOTIFICATION.

AS TO WILDLIFE, THE E.I.R. FAILS TO MENTION THE PROTECTED DESERT KIT FOX WHICH IS PRESENT HERE; AND AS TO WATER, THE SCANT DATA PROVIDED OFFERS LITTLE EVIDENCE FOR THE CONCLUSION THAT "20,000 ACRE FEET" (PAGE 34) OF WATER IS ENTERING THE COMMUNITY ANNUALLY. DOES THIS STATISTIC DERIVE FROM EMPIRICAL, REPEATABLE SCIENTIFIC PROCEDURE OR IS IT A HOPEFUL FIGURE DESIGNED TO JUSTIFY CONCLUSIONS AND INTENTIONS?

"20,000 ACRE FEET" OF WATER WOULD BE SUFFICIENT TO STABILIZE THE LEVEL OF MONO LAKE ALL BY ITSELF; ENOUGH TO FILL A 25 STOREY WATER TANK THE SIZE OF SWALL MEADOW; OR TO COVER EVERY ACRE OF PRIVATE LAND IN THE ENTIRE COMMUNITY REGION 20 FEET DEEP IN WATER. IF THERE IS THAT MUCH WATER ENTERING EVERY YEAR AND EVERY YEAR BEFORE THAT, WHY THEN IS THERE COMMUNITY-WIDE LOWERING OF THE WATER TABLE AND NO OUTLET STREAM TO INDICATE THIS "SURPLUS WATER"? AT THIS TIME, COURT DECISIONS REGARDING DEVELOPMENT/WATER LIABILITIES, SEEM TO BE LEANING TOWARDS THE PERMITTING AGENCIES (THE FINAL DECISION MAKERS) NOT DEVELOPERS. THE E.I.R CONTAINS NO MITIGATION MEASURES AND WE HAVE NO BACKUP WATER SUPPLIES HERE.

THIS PROJECT MIGHT BE PALATABLE WITH AN INDEPENDENT AND CREDIBLE HYDROLOGICAL STUDY; MUCH LARGER LOTS WITH CONSUMPTION RESTRICTIONS; AND AN END TO FUTURE WATER TRANSFER SYSTEMS. WITHOUT ALL THREE, THIS PROJECT IS AN UNNECESSARY RISK FOR ALL CONCERNED AND TAKES OUT A HEAVY MORTGAGE ON MONO COUNTY AND FUTURE GENERATIONS HERE AT SWALL MEADOWS.

SINCERELY

Daniel Bacon - October 2, 2000
675 MOUNTAIN VIEW
SWALL MEADOWS
BISHOP, CA 93514

Response to # 26 from Daniel Bacon dated October 2, 2000

Benefit of Project to Existing Community and Wildlife.
This comment is directed to the Mono County Planning Commission and Board of Supervisors for consideration during the public hearings and approval process for the project. The comment is acknowledged herein; no response is required.

EIR Should Address Desert Kit Fox.
The Desert Kit Fox (*Vulpus macrotis*) is found in the Mojave and Colorado deserts, the west side of the San Joaquin Valley and possibly in southeastern Oregon (Ingles, 1968). It may be found in sagebrush scrub, shadscale scrub, creosote bush scrub, Joshua tree woodland, alkali sink and valley grassland habitats although it is mostly found in the lower Sonoran life zone (Ingles, 1968). It is not expected in the project vicinity.

Water Resources Impacts.
Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

October 2, 2000

RE: Rimrock Ranch Draft Specific Plan/EIR

Mono County Planning Department
P.O. Box 8
Bridgeport, CA 93517

We are presently in the process of designing and building a house on Rimrock Drive. We like the area very much, and selected our lot because of the great views and the natural surroundings.

After reading the EIR, we are in favor of the project as proposed. We were aware of the plans to develop this project when we bought our lot, and believe that John Wilson is very concerned with minimizing the impact on the environment and with maintaining the aesthetic qualities of the area.

The alternative of no project of course has less impact, but we believe the landowners should be allowed to profit from this opportunity. We also feel that if this project were not to proceed, future development by perhaps different developers would have substantial risk of more severe impact on the area.

The alternative of clustered development in one portion of the property would be much less attractive visually than the more disperse housing in the plan.

Sincerely,

Brent and April Miller

207 RIMROCK DRIVE
SWALL MEADOWS
BISHOP, CA 93514

Response to # 27 from Brent and April Miller dated October 2, 2000

The comments from the Millers support the project and are directed to the Mono County Planning Commission and Board of Supervisors for consideration during the approval process for the project. The comments are acknowledged herein; no response is required.

2 October, 2000

Mr. Keith Hartstrom
Mono County Planning Department
P.O. Box 8
Bridgeport, CA 93517

Dear Mr. Hartstrom,

I am writing regarding the **Rimrock Ranch Draft EIR**. I am currently a resident of Paradise, but intend to move to Swall Meadows within the next few months, and I want to make my concerns regarding this Draft EIR and the proposed development known to you.

The lack of information on the critical issue of water use is of great concern to me. The data in the Draft EIR does not appear to be based on accurate, up-to-date, or complete research. It seems very clear that more monitoring must be done, as well as a better assessment of the future needs of the Piñon Ranch development that the Rimrock Ranch water system will be linked to. There are a number of undeveloped lots in Piñon, and it does not appear that the water needs of the fully developed area have yet been considered. There are no assessments of the local aquifers and groundwater barriers, yet even without that essential information, TEAM engineering states that there may be "potential undesirable effects...including significant lowering of water levels in neighboring wells and significant lowering of water levels in the wetland area." (Water Resource Assessment (WRA) p. 7).

Water use is, of course, inextricably linked to vegetation, and Mono County has had a front-row seat for the devastating impact groundwater pumping has had on Inyo County's vegetation. No survey has been made to determine if any rare or endangered plants could be affected by the proposed development, although Mono County wisely directs that there be periodic reviews and updates to its Master Environmental Assessment. It seems to me that further investigation must be made to determine what impact the development and its water usage would have on the native vegetation.

As anyone interested in California water issues knows, backtracking and attempting to right poor water decisions is a lengthy and mind-bendingly expensive process. Even with state, federal, and local parties involved, large water clean-up problems such as the Owens Dry Lake and the Sacramento-San Joaquin River Delta—with price tags from millions to billions of dollars—could still be too little, too late. I do not mean to infer that this project is on any kind of scale with the above. I only reference them to underscore that water decisions must be *proactive*, that extensive monitoring and research

must be done, and that only with complete and accurate data in hand can development decisions—ones that will impact the area for decades to come—be made.

I do not believe that the developers intend to willfully disregard the needs of the land or its water, plants, or animals. I'm sure they are aware that the value of the property that they wish to develop lies to a great extent in its natural beauty, and that they have no desire to ruin that. What I do believe is that they need to know the absolute and accurate impact of the development, so that they can make decisions that will preserve the area and keep it healthy far into the future.

I hope that it is as clear to you as it is to me that there must be a Revised Draft EIR that addresses the unknowns in the present DEIR. With complete information, we can—as a community of both residents and developers for *future* residents—assess how to move forward.

Thank you for your attention to my comments, and I hope you will send me future notices relevant to this project.

Regards,

Mary Siceloff
PO Box 1332
Bishop, CA 93515

Response to # 28 from Mary Siceloff dated October 3, 2000

Water Resources Impacts.
Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

No Study for Rare/Endangered Plants and Animals.
The CEQA does not specifically require on onsite survey for rare and endangered species; it requires information concerning the presence of such species in the project area. The need for a rare plant survey was obviated by the fact that information presented in the County's Master Environmental Assessment (MEA), the Deer Study (Taylor, 1993) and other environmental documents (Bagley, 1990) revealed that the likelihood the project site contains special status species is not great.

A review of the California Natural Diversity Database (CNDDB) showed no indication of rare or endangered animal species within the project vicinity; additional surveys onsite are not likely to yield additional information. The primary wildlife concern in the project vicinity is the migration corridor and habitat for the Round Valley deer herd. That concern was addressed by specific wildlife studies and by the sale of 100-acres of the project site to the California Department of Fish and Game for preservation as wildlife habitat.

October 3, 2000

Mr. Keith Hartstrom
Mono County Planning Department
P. O. Box 8
Bridgeport, CA. 93517

RECEIVED
OCT 10 2000
MONO COUNTY
CDD/PLANNING

Reference: Rimrock Ranch Draft EIR

Dear Mr. Hartstrom,

This letter is being prepared in response to the Rimrock Ranch Draft EIR recently offered for public opinion. We are not opposed to the development proposed in this report, but are very concerned about the assessment of water resources reported therein as well as future use and controls.

The EIR addresses an aquifer test. It was our understanding that several adjacent wells, including ours, were to be monitored during this test. However, the EIR discusses in detail the monitoring of one well located within 15 feet. Furthermore, it does not appear that the recovery rate of this particular well was monitored.

1998 water use levels were relied upon for purposes of this test. Since these figures are nearly three years old and water use in the Swall Meadows area has traditionally increased over time, current figures of water usage should have been developed. Additionally, there seems to be no consideration for additional water usage that would result from the further development of property in the Pinion Ranch area.

Finally, there appears to be no mitigation in the event that future water usage should begin to exceed available resources. Additionally, no mechanism or sanctions have been established or identified to deal with serious water resource issues or related developments.

To reiterate, our concerns evolve around the proper assessment of available water resources, appropriate allocation and use of these resources, and the presence of an ongoing process to monitor and deal with conflicts that would impact the area.

Sincerely,

Al Carson

Virginia Steel

A. Carson
159 Willow Road
Swall Meadows, CA. 93514

Response to # 29 from Al Carson and Virginia Steel dated October 3, 2000

Water Resources Impacts.

Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

Human Factors Consultants
Ralph Norman Haber and Lyn Haber
730 Rimrock Dr., Swall Meadows, California 93514
Telephone: 760-387-2458 Fax: 760-387-2459 E-mail: haberhfc@telis.org

October 3, 2000

Mono County Planning Department
P.O. Box 8
Bridgeport, California 93517

Dear Planning Department: Regarding the Rimrock Ranch Draft Specific Plan

There are three street names designated in the Plan: Sunset Drive, Sunrise Drive, and Rimrock Place. The latter was to be a continuation of the existing Rimrock Place, but this choice has a problem.

At the time of the original filing of this plan, there was a Rimrock Drive, Rimrock Place, and Rimrock Circle in Swall Meadows. While these were all one continuous street, it had three names, with the name changes occurring at the right angle turns. When the emergency 911 system was being put into place, and our PO box numbers were being changed to physical address street numbers and names, the Fire District here requested of the Mono County Board of Supervisors that some name simplification be made, as a way to reduce confusion of emergency dispatched vehicles. One of these changes was to change the three different Rimrocks all to Rimrock Drive, applied to its entire length. The Board of Supervisors approved that change. Consequentially, there no longer is a Rimrock Place in Swall Meadows.

Therefore, the short east-west street in Rimrock Ranch should be renamed to something else, both because it no longer connects to the original Rimrock Place, and because it would reintroduce the duplication that the action of the Board of Supervisors eliminated.

I am writing to you with two requests.

First, whoever approves the names of this street should avoid a duplication of any other street name in Swall Meadows. There are only 14 streets here now, so it should not be difficult to find a different name.

Second, since my wife and I already own more than half the perimeter land that borders this street along its south and south-west sides, we would welcome the opportunity to participate in its naming process.

Sincerely yours,

Ralph Haber

Response to # 30 from Ralph Haber dated October 3, 2000

The Public Works Departments is responsible for naming streets in Mono County. Street names for Rimrock Ranch will be approved during the final tract map process. Concerns expressed in this letter have been passed on to the Public Works Department.

DAN O'DELL
LINDA HESS O'DELL
276 Valley View Road
Swall Meadows, California 93514
760-387-2258

October 4, 2000

Keith Hartstrom
Mono County Planning Department
P.O. Box 8
Bridgeport, CA 93517

Dear Mr. Hartstrom:

Thank you for extending the deadline for submitting written comments on the Rimrock Ranch Draft Specific Plan/EIR. I would like to start by stating that I do not intend to block the development of lots in Rimrock Ranch. John Wilson has been very straightforward regarding his intentions to develop additional lots. During the 10 years that I have owned property adjacent to the proposed project, I have been aware of the fact that additional development was forthcoming. Furthermore, I commend John's sale of approximately 100 acres to CDFG in an effort to preserve more open space in the community. My concerns pertain to water issues and can ultimately be resolved in one form or another in order that development may proceed.

The Water Resource Assessment ("WRA") does not adequately address the proposed use of water and potential effect on neighboring wells. The Draft EIR states that the proposed water system will be fully integrated with the existing Pinon Ranch system and will improve "...the water supply for the Pinon Ranch area." (Page 10). Data and conclusions in the WRA are based on the proposed 35 new parcels only. It ignores approximately 50 residents in Pinon Ranch at build-out; therefore, any conclusions are in error as they have miscalculated the water usage by more than 100%. Furthermore, only one set of assumptions was used and it was based on annual usage. Peak monthly usage was ignored as were alternate assumptions which would extrapolate the existing trend of water consumption per lot that is currently increasing each year. The Draft EIR must address pumping of 3 to 4 times the estimated 5.15 million gallons per year in order to account for supplying Pinon Ranch, peak monthly usage and use in excess of historical rates.

The opinions and conclusions of the WRA are limited to effects upslope and one mile away from Pump No. 4. The WRA is inadequate in addressing potential effects downslope and within close proximity to the well. Furthermore, information in the Summary of Well Data is incorrect. Well numbers 62 and 63 are mapped on our property in the WRA. We actually have only one well which was originally drilled in 1990 and drilled deeper in 1995. Our well was drilled and tested by Maranatha Drilling and Pump Service. The owner of Maranatha represented to me that his equipment is not adequate to provide an accurate reading of our well's production. Under one

method, his test indicated that our well produced only six gallons per minute. With an alternate method, the well produced "...more than 12 gallons per minute...". The reason for the vagueness in his latter response was due to limitations imposed by the power of the pump, the depth of the pump and the size of the pipe from the pump to the surface. Maranatha could only conclude that the well will produce more than 12 gallons per minute without drawing down the static water level. The actual production could be many times that amount. This could be encouraging information in that the wells in the area may actually produce more than the recorded data, but the accuracy of the data is misleading. Based on information contained in the WRA, one could erroneously assume that our well has not suffered until its production falls below three gallons per minute.

Maranatha drilled most of the wells in Swall Meadows; therefore, it is safe to assume that most of the recorded information is incorrect. All wells used in a future water assessment should be retested in order to determine a reliable starting point before any monitoring is done.

There is a mitigation section of the Draft EIR (see page 35), but no mitigation is addressed. Only monitoring is discussed. If testing produces adverse results, the Draft EIR makes no provisions for mitigation. While the report concludes that potential impacts are mitigated to a less than significant level, there is no mitigation. This conclusion is no more than a standard closing line which is used everywhere potential impacts are discussed in the Draft EIR.

Monitoring the impacts of well pumping will be extended over a five year period before any determination is made as to the effect on neighboring wells and on the aquifer. Presumably, some or all of the lots will be sold prior to the end of the five year measurement period. Without deed restrictions on lots sold, the developer will lose the right and ability to mitigate potential water problems once the data from monitored wells are available.

Environmentally Superior Alternatives are dismissed due to the fact that they do not "... fulfill the project objective...". The project objectives are limited to developing 35 residential parcels with only one identified, and as yet unproven, source of water; therefore, by definition no Environmentally Superior Alternative could be feasible without modifying the Draft EIR.

I appreciate your consideration of the aforementioned. Furthermore, I believe that the deficiencies in this Draft EIR can be corrected in another draft and the property developed.

Sincerely,

Dan O'Dell

Linda Hess O'Dell

Response to # 31 from Dan and Linda Hess O'Dell dated October 4, 2000

Water Resources Impacts.

Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

138 Pine Dr.
Swall Meadows
Ca. 93514

October 4, 2000

Mono County Planning Dept.

To Keith Hartstrom:

This letter is to inform you of my concerns about the proposed Rimrock Ranch development. After reading the impact summary I don't feel at all assured that objective studies have been done on the water resources, environment, animals and transportation areas.

My major concern is loosing control of our water and or having to pay for the development of water resources for the new development, which they have tried to trick us into. Before any plans are approved there has to be a thorough objective E.I.R. that proves that the water tables on existing homes won't be jeopardized.

This fragile desert environment won't take as much abuse as heavy equipment and more cars will do to it. You can't replant the native vegetation and expect it to grow back in a few years. The non-native is too water intensive.

Since I moved to the older part of Swall the deer herd has gotten smaller, at least there are fewer around my house. The more houses , the less vegetation, the less deer.

No where in the plan was the mention of extra traffic. There has got to be an auxiliary road that these people can go in and out of closer to Paradise.

Sincerely, *Carol Broberg*

Carol Broberg

Response to # 32 from Carol Broberg dated October 4, 2000

Water Resources Impacts.
Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

Traffic Impacts.
The impacts of additional traffic generated by the proposed project are discussed in the Transportation & Circulation section of the Environmental Analysis Chapter in the DEIR, pp. 43-45. That analysis considered the cumulative impacts of additional traffic from Pinon Ranch. The DEIR concludes that "Potential traffic impacts from the project will be less than significant due to the relatively small size of the proposed project, the lower than "standard" trip generation rates, and the existing capacity of the roads in the area" (DEIR, p. 45).

Mr. Keith Hartstrom
Mono County Planning Department
P.O. Box 8
Bridgeport, CA 93517

October 4, 2000

Dear Mr. Hartstrom,

Thank you for extending the comment period on the Rimrock Ranch Draft Specific Plan/EIR. After a thorough examination of the DEIR, I have many comments and concerns. I understand that the developer has the right to develop his property, but as an owner of land adjacent to the well that will provide water for the project, I think I have the right to protect the intrinsic values of my land. These values include wetland habitats that are regularly used by migrating mule deer and other wildlife. I hope that Mono County will recognize the value of these wetlands and issue guidelines for the development that will protect water resources and wildlife habitat. If not, the appeal process and/or legal means may be my only recourse for protecting my land.

Water Resources

The Water Resource Assessment (WRA) and Mono County Environmental Analysis are completely inadequate in showing that the water extraction planned for this development will not result in fatal damage to adjacent wetlands and drawdown in neighboring wells. My concerns relating to water resources for this project are as follows.

Page 10 of the Project Description contains a statement that I found shocking. It states that "the new Rimrock [water] system will be fully integrated with the existing Pinon Ranch system, providing water for domestic and fireflow uses for the Rimrock Ranch area and improving the water supply for the Pinon Ranch area." This is a shocking statement because the WRA is based only on the water needs of the 35 homes of the Rimrock Ranch development. Why weren't the water needs of the 46 lots in Pinon Ranch added to the analysis? The vague language of the Project Description and again in the Environmental Analysis (page 32) would allow unlimited quantities of water to be pumped. This omission in analysis should require a new WRA to be produced.

After consulting two hydrologists and studying it in depth, I think that TEAM Engineering's WRA is inadequate, even if it is based only on the needs of the 35 homes in Rimrock Ranch. Section 2.0 relating to estimated water needs gives a good example of the report's inadequacy. Why choose to use historical water usage figures that are still trending upward when figuring future water needs? What if water usage keeps increasing dramatically as it is doing now?

The aquifer test (Section 3.0) was so incomplete that no accurate picure of the aquifer can be formed from the results. Is monitoring a well that is 15 feet from the pumping well going to provide useful information about the entire Swall Meadows area? There appears to have been no monitoring of other neighboring wells during the 48 hour pump test (standard practice seems to be for a 72 hour pump test). Why is the "Lowry" well mentioned as being monitored but then never mentioned again? Were the results damaging to the overall conclusions? At least three neighboring wells at different distances from the pumping well should have been monitored.

Why was recovery of the pumping well not monitored? This appears to be standard practice in aquifer tests. Measuring the drawdown of a pumping well and not the recovery is just half of an aquifer test.

It is obvious from the WRA that Triad/TEAM Engineering really don't understand the characteristics of the aquifer. They state "These aquifer characteristic estimates were made over a fairly short distance and may or may not be representative of the entire Swall Meadows area (page 6)." What is the size and shape of the cone of depression caused by the pumping of WCCSD No. 4? How will this effect the nearby wetlands and private wells?

The WRA states that the groundwater levels have dropped as much as over two feet a year from increased development in Swall Meadows (page 13). There are many lots still undeveloped. What will be the cumulative impact of new individual private wells along with the new Rimrock Ranch/Pinon Ranch water system? CEQA guidelines require that cumulative impacts be addressed when there are "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts" (CEQA Section 15355).

The conclusion of Section 5.5.2, "Potential Impacts of WCCSD No. 4" is frightening. TEAM states "Given the limitations of the data that are available, and the associated limitations in the analyses, a monitoring and mitigation program is recommended in the next section that can be used as an early warning system to ensure that any impact that is measurable, attributable to the operation of WCCSD NO. 4, and significant, can be avoided." I really can't understand why this section and the following section refer to mitigation at all. There appears to be no mitigation whatsoever for this large water extraction plan. There is talk of an "early warning system" and a "trigger" but the only thing that appears to be triggered is more data collection. What effect will the data collection have? As an adjacent land owner, I need to know that there is some built-in protection for the health of my land. I believe this would best be accomplished by an annual vegetation monitoring program and a phased building plan for Rimrock Ranch. Each phase of building should only be allowed to go forward when wetlands and neighboring wells show no detrimental effect from the previous phase's pumping. I urge Mono County to plan for the long-term effects of this development. I also think that any water monitoring should not be done by

the WCCSD. Besides having a vested interest in the continued water supply for Pinon Ranch, they do not have professional training in hydrology.

Wildlife Study

Many landowners, including myself, are very concerned about the viability of the Round Valley Deer Herd who have migrated through Swall Meadows for eons. While I appreciate the obvious efforts by the developers to create a deer-friendly subdivision, those efforts fall short. Why does Mono County choose to ignore the conclusions of the wildlife consultant, Tim Taylor, who states that this development will cause a significant environmental effect that can not be mitigated to an acceptable level (page 34 and 35 in the Deer Study)? Why didn't Mono County provide up-to-date maps showing where the drainages and deer paths are on the current lot plan?

I am also very concerned about the potential deer fatalities caused by increased traffic from Rimrock Ranch. As is shown on HWY 395 by the huge number of deer killed there, signs do not have much effect in slowing people down. As we do not have speed limits in Swall Meadows, the projected 175 car trips per day caused by Rimrock Ranch could have a significant impact on the deer herd. The open space corridor to the west of Rimrock Ranch would funnel the herd directly onto Valley View Road.

On page 38 of the Environmental Analysis, it is stated that no rare or endangered wildlife species occur on the Rimrock Ranch site. Why wasn't the property surveyed for the presence of the Kingston Mountain Chipmunk? This "species of concern" is shown in the Mono County Master Environmental Assessment to potentially occur in the Wheeler Crest area.

Vegetation

Why didn't the developers commission a rare plant survey? Mono County's own Master Environmental Assessment states that "data base information does not constitute a final assessment of special status plants" (page 212).

As a native plant propagator, I appreciate the attention given to local native plant material for use in landscaping. I think it is very important, when surrounded by wildlands, that home landscapes use plant material that will not compromise the genetic integrity of the surrounding vegetation. However, is it realistic to require that only local native plant material, with an emphasis on "larger planting stock," be used in all landscaping? This type of material is not currently available and would take a number of years to become available. Seed and propagation material would have to be collected in a seasonally appropriate time frame. Seedlings would require at least 2-3 years in a nursery setting to grow to an acceptable size.

I think that local native plants should be required for the Rimrock Ranch Development but that such a requirement would take several years to fulfill. Consequently, it is not acceptable to

use this requirement as mitigation for impacts to vegetation and wildlife. Why not have the developers contract with a native plant propagator to provide the needed native plants and then proceed with the development when the plants have grown to a size to constitute true mitigation?

I also find it disingenuous for Mono County to require that natural vegetation remain undisturbed and that a "dense strip of native shrubs" be planted around each house. These requirements directly conflict with state fire safety laws that require extensive clearing and thinning of native vegetation around houses. This is another design guideline that should not be counted as mitigation for impacts to vegetation and wildlife because homeowners will be in violation of fire safety laws if they comply.

The list of plant species that are recommended for revegetation (page 59 in the Deer Study) contains several unacceptable plants. Hobble Creek mountain big sagebrush, Lodgepole pine, and Quaking aspen are not native to the proposed development site or the Swall Meadows area. Wheatgrass is a noxious weed. Only local native plants should be used in any kind of revegetation program. Aspens and Cottonwoods use an extremely large amount of water and should not be used on that dry site.

Conclusion

In view of the completely inadequate Water Resource Assessment contained in this DEIR and the subsequent lack of understanding of the aquifer, I think the developers should be required to produce a new, in-depth water report. Because Triad Engineering is involved in the development of Rimrock Ranch and stands to profit from a larger development, data for the new water assessment report should be collected and analyzed by another unrelated firm.

Because the water issues remain problematic and crucial to the continued existence of wetlands in Swall Meadows, I can not comment on any of the alternatives listed in this DEIR. We still don't know how much water can safely be pumped out of the aquifer. I respectfully request that Mono County produce a Revised Draft Environmental Impact Report for the Rimrock Ranch development and I will be happy to comment on that new and improved document.

Thank you very much for your attention to my concerns.

Sincerely,

Karen Ferrell-Ingram

Karen Ferrell-Ingram
140 Willow Road
Swall Meadows, CA 93514

Response to # 33 from Karen Ferrell-Ingram dated October 4, 2000

Water Resources Impacts.
Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

Deer Study Conclusion That Project Cannot Be Mitigated to Less-than-significant level.
The Deer Study concludes that, even with mitigation, the project would incur unavoidable significant impacts to the Round Valley deer herd. The DEIR misstated this conclusion by stating that potential impacts to the deer herd could be mitigated to a less-than-significant level. The FEIR has been modified to correct this misstatement; even with mitigation, the project would result in unavoidable, significant impacts to the Round Valley deer herd.

Deer Study Map.
The Deer Study map has been updated to show the current lot configurations (see Appendix B).

Traffic Impacts on Deer Fatalities.
Traffic and Circulation Policy 7 in the Specific Plan addresses this topic: "To minimize direct mortality impacts to the deer herd from vehicle collisions, signs shall be posted along roads within the project area warning drivers of the presence of deer (Taylor, 1993)". This mitigation measure was suggested by the wildlife consultant for the project, Tim Taylor.

No Study for Rare/Endangered Plants and Animals.
The CEQA does not specifically require on onsite survey for rare and endangered species; it requires information concerning the presence of such species in the project vicinity. The need for a rare plant survey was obviated by the fact that information presented in the County's Master Environmental Assessment (MEA), the Deer Study (Taylor, 1993) and other environmental documents (Bagley, 1990) revealed that the likelihood the project site contains special status species is not great.

A review of the California Natural Diversity Database (CNDDB) showed no indication of rare or endangered animal species within the project vicinity; additional surveys onsite are not likely to yield additional information. The primary wildlife concern in the project vicinity is the migration corridor and habitat for the Round Valley deer herd. That concern was addressed by specific wildlife studies and by the sale of 100-acres of the project site to the California Department of Fish and Game for preservation as wildlife habitat.

EIR Should Address the Kingston Mountain Chipmunk.
The Kingston Mountain Chipmunk (*Tamias panamintinus acrus*), also known as the Panamint Chipmunk, does not show up on the California Natural Diversity Database (CNDDB) in the project vicinity. Its habitat is primarily rocky outcrops and its presence in sagebrush scrub habitat may be precluded due to its low heat tolerance.

Adequacy of Mitigation Regarding Native Plant Materials.
Use of native, indigenous species is required to protect surrounding vegetation and provide additional habitat for wildlife in the area. The information presented in this comment concerning the availability of native plant material will be considered by the Planning Commission and Board of Supervisors during the approval process for the project.

Fire-safe Requirements.
Chapter 19.26, Fire-safe Regulations, of the Mono County Code (Chapter 22 of the Land Development Regulation in the Land Use Element) addresses requirements for fire protection. Those regulations establish basic wildland fire protection standards for emergency access; signing and building numbering; emergency water supplies; and vegetation modification.

Although the Rimrock Ranch Specific Plan has been designed in compliance with the Fire-safe Regulations, the following policy has been added to the Specific Plan to clarify the need for compliance with those regulations:

> Natural Resource Conservation Policy 17:
> The project shall comply with the Fire-safe Regulations (Mono County Code 19.26; Land Use Element, Land Development Regulations Chapter 22) pertaining to emergency access; signing and building numbering; emergency water supplies; and vegetation modification (see also Infrastructure Policy 3 pertaining to emergency water supplies; Design Guidelines Policy 10 pertaining to landscaping and vegetation modification; and Traffic Policy 3 pertaining to fire-safe standards for roadway construction).

In response to this comment and similar ones, Design Guidelines Policy 10a has been modified as follows to eliminate conflict between the fire-safe regulations and requirements for onsite landscaping/revegetation:

> Landscaping shall be used to minimize potential visual impacts resulting from development and to provide vegetative screening ~~around structures~~ to reduce deer avoidance of developed areas (C.C.&R's and Taylor, 1993). Screening cover should be planted in a minimum 20-foot-wide band ~~around each residential site~~ along property boundaries and established deer use areas (see the Amended Deer Use Maps, Appendix B of the FEIR), consisting of an inner strip of indigenous trees and an outer dense strip of ~~native~~ indigenous shrubs.

Revegetation Plant Species List.
The list of suggested plant species for onsite revegetation on p. 59 of the Deer Study is only a suggested list. It is not part of the Specific Plan policies that guide development on the property. Design Guidelines Policy 10 in the Specific Plan contains landscaping guidelines that apply to all development in Rimrock Ranch. Item d of Policy 10 requires the use of native, indigenous species and xeriscape landscaping (drought-resistant planting, soil preparation, low water use irrigation systems, etc.).

RT VUTCHER

R.T. VUTCHER
516 Mountain View Dr.
Swall Meadows, CA 93514

Oct 4 2000

The Mono County Planning Commission.
C/o Messr Keith Hartstrom
P.O. Box B
Bridgeport, CA 93517

RECEIVED
OCT 18 2000
MONO COUNTY
COMMUNITY DEVELOPMENT

Re: Comment, Rimrock Ranch Draft Specific Plan/EIR.

Dear Messr Keith Hartstrom

Thank you And the entire Mono County Planning Commission Again for this extended Time. This Courtesy will, I'm Sure pay off in many more comment Letters

I am going to address just a few issues mostly regarding adequate domestic water supply and potential damage to the wetlands. The following numerical order is not necessarily in order of importance.

1) "... estimated inflow from the North and West [Swall Meadows] is approximately 20,000 acre feet per year. That figure (20,000) is way to high. In my opinion, for the followin Reasons

(A) A totally built out Swall Meadows is projected as 69th D.U. (Mono Cnty. 1993) use of water ca. 320 acre feet per year. The contrast of use to flow is too large to be believable. Where is there an indication of that 20,000 A.F.P.Y.?

(B) There has been a steady decline of water levels in the wells in the Wheeler Crest area, especially evident in wells drilled in the 1960's, 70's & 80's. No significant recharge has been recorded.

(C) Surface Run-off is but a trickle and flows not much beyond the Communities physical limits. In the Fall a Significant portion of this trickle drys up or has been Reduced to a small fraction of its Spring flow

(D) The Swall Meadows water source, Wheeler Crest, has no significant perennial stream. The small Burch Creek in the North does not impact SMs water supply. It should be noted that Wheeler Crest itself is an isolated spur of the Sierra Nevada. and is extremely dry at both the lower and at the higher elevations. It is not serviced by the main spine of the Sierra.

(E) And finally! The clarity of our, Swall Meadows, physical Location should also be noted. We have no back-up water source to draw upon if the supply we have fails. The future is a very long time. Extended droughts are inevitable. If a major miscalculation of an annual water flow like that 20,000 AFPY was made the use of that statistic could eventually lead to some unrealistic expectations. The results would be legally, Communitywise and environmentally catastrophic.

(II) The Wetlands problem

A. page 8 Water Resource Assessment: paragraph one "For the type of vegetation in that area a drop of more than one foot over a year would likely be significant.

B. page 21 Water Resource Assessment: paragraph 2. "WCCSD No. 4 well pumping Estimate 5.15 million gallons per year. Drawdown estimate .05 to about 2 feet." The Wetlands are, it would seem, be at risk here.

(III) Triad Engineering:

A. A thorough scrutiny of the Rimrock Ranch Draft Specific plan/EIR should be taken to make certain that Triad is not in a position of a conflict of interest

Sincerely,

Ray Dutcher

Ray Dutcher

Response to # 34 from Ray Dutcher dated October 4, 2000

Water Resources Impacts.
Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

Triad Engineering Potential Conflict of Interest.
CEQA allows the project applicant to provide information for the environmental document. Mono County Counsel has reviewed the issue and found that there does not appear to be a conflict in this case.

STEPHEN INGRAM
140 WILLOW ROAD, SWALL MEADOWS, CA 93514

To: Keith Hartstrom, Mono County Planning Department
FROM: Stephen Ingram
RE: Rimrock Ranch Draft EIR

October 4, 2000

Dear Mr. Hartstrom,

This letter is in response to a detailed review of the Rimrock Ranch Draft Specific Plan/EIR. Thank you for granting an extension of the comment period. There are some positive Specific Plan Policies having to do with Design Guidelines, but there are numerous, significant problems in the DEIR that make it inadequate. It is not my intention to undermine or delay the development of Rimrock Ranch, but I have legitimate concerns that are very serious and that I feel should be addressed in a Revised Draft EIR.

Water Resources

My most serious concern is the inadequacy of the Water Resource Assessment (WRA) done by TEAM Engineering with data collected by Triad Engineering. I agree with their claim that "the most severe limitation of this analysis is the available data." (WRA, p. 22). I feel this assessment should be completely redone with a proper pump test, proper monitoring, and more robust evaluations. The fact that the current water assessment ignores the effects of pumping for "improving the water supply for the Piñon Ranch area," (Project Description, p. 10) makes it grossly inadequate. Comments related to the Water Resource Assessment are given below.

In their discussion of Safe Yield and Potential Impacts, section 4.0, TEAM Engineering states "the potential undesirable effects of operating WCCSD No. 4 include the significant lowering of water levels in neighboring wells and significant lowering of water levels in the wetland area." (WRA, p. 7). Because the data collected are insufficient to properly characterize the aquifer, their investigation and understanding of the aquifer are both inadequate. The proposed development's potential impacts, which have important ramifications for property values and habitat values for mule deer and other animals, warrant a thorough re-investigation and reasonable understanding of the local aquifer.

Section 2.0: The estimates of water use (WRA, Table 1) may be inaccurate because they use figures that are trending upward. "Reasons for the dramatic increase ... are not obvious" (WRA, p. 2), and could be due to increased irrigation, more residences used on a permanent basis, more people per family per residence, or a combination of these and other reasons. But TEAM Engineering incorrectly assumes that the trend has stopped. Use may continue to increase, and therefore, 5.15 million gallons per year may be an underestimate. Why was water use data available for only 15 houses served by the WCCSD?

Section 3.0: The pump test conducted by Triad was inadequate to characterize the aquifer. To understand aquifer characteristics, it is common practice to monitor drawdown in at least 3 monitoring wells at varying distances from the pumping well over a period of 72 hours (Heath, Ralph C., Basic Ground-Water Hydrology,

U.S.G.S. Water-Supply Paper 2220, 1983). "These aquifer characteristic estimates were made over a fairly short distance and may or may not be representative of the entire Swall Meadows area." (WRA, p. 6). In fact, they were made using data from a monitoring well only 15 feet away from the pumping well. How can groundwater drawdown be reasonably estimated for all of Swall Meadows with drawdown measured no further than 15 feet from the pumping well? (For some unknown reason, Figure 1 does not show the pumping rate for the last 674 minutes of the test).

The neighboring "Lowry " well was mentioned, but if the "Lowry" well was monitored, why were the data not evaluated and why was it not discussed further?

Monitoring the recovery or recharge rate is one of the most basic pieces of information needed to characterize an aquifer, but this presumably was not done.

There are no well log data to indicate potential confining layers the well drillers may have discovered.

Section 5.1: Table 4 in the Water Resource Assessment (p. 9-10) lists the monitoring well (60) as having a depth to water of 40 feet when it was drilled in 1973. Pumping well WCCSD 4 (61) has a depth to water of 95 feet in1999, yet it is only 15 feet from monitoring well 60. This seems to indicate a significant water level drop from 1973 to 1999. Why is there no discussion of this apparent drop in water level in the area of the pumping well? A nearby well, 63, shows a pumping rate of only 6 gpm. Are these records accurate and dependable? If so, then there is already significant groundwater depletion. If not, then how are these records useful?

A similar drop is seen at the upper part of Hilltop Estates on lot 12. Here a 1964 well reached water at 31 feet, but the same or a second adjacent well drilled in 1982 has a depth to water of 70 feet. Other anecdotal evidence suggests that Swall Meadows has experienced a drop in groundwater levels in the last 20 years, so it seems prudent to understand the aquifer and its limits before approving a plan to pump what is essentially an unknown amount of water from an aquifer of unknown extent.

An important finding from the drawdown in the monitoring well is that "storativity in the aquifer is low, which means that small changes in storage would be manifested by relatively large changes in groundwater levels." (WRA, p. 6). With relatively little water available per foot of drawdown, it is especially important to understand the other characteristics and limits of the aquifer. The low storativity also signifies that drawdown radiates relatively far from the pumping well. This low storativity should trigger genuine concern for the potential impacts of pumping water from WCCSD No. 4.

Section 5.4: The computer model TEAM Engineering used, which should have been identified, does not include any output data, and is not calibrated with real known quantities. The model makes invalid assumptions and uses questionable data. Groundwater barriers, which are known to exist here, were not included in this model - when estimating hydraulic conductivity - and they "assumed that groundwater elevations would generally follow land surface elevations." (WRA, p. 14). This is clearly not the case in Swall Meadows with

flowing artesian wells, springs, earthquake faults, and variable depths to groundwater (WRA, Table 4). Presumably, no geological maps were consulted in their analyses.

They state that ignoring groundwater barriers is a "conservative assumption," and that "... a barrier would tend to reduce any pumping impact in the Hilltop Estates area." (WRA, p. 17). While a barrier would reduce impacts upslope in Hilltop Estates, it could act to produce a greater impact in the vicinity of the pumping well WCCSD No. 4 which includes wetland areas. To quote from a widely cited booklet on ground-water hydrology, "The position and nature of aquifer boundaries are of critical importance in many ground-water problems, including ... the response of aquifers to withdrawals." (Heath, 1983, p. 46, cited above).

Section 5.5: In applying their model to pumping scenarios, 2 of the 3 rates they used are below the most recent rates (WRA, Table 2) used in estimating total water use. If water use was about 400 gpd per residence in 1998, why not use scenarios such as 400, 500 and 600 gpd instead of the unrealistically low scenarios they used? Average use per home was nearly 900 gpd during peak summer months, so why not use a summer pumping scenario in the computer model to "assess the sensitivity of the pumping to changes in water levels." (WRA, p. 18)?

Section 5.5.1: It is obvious from reading this section, that the estimates of groundwater pumping and inflow are problematic. It is clear that more data are needed, and they state that "there is no ... independent estimate of subsurface inflow." (WRA, p. 18). When they do run the model "to test alternative conceptualizations" which "... better represent the observed areas of high groundwater levels," i.e., with groundwater barriers, they end up with dramatic drawdowns below the barrier that "were not considered reasonable." (WRA, p. 18). Is this model really a reliable tool to estimate aquifer characteristics and expected groundwater drawdown?

While acknowledging that "additional data related to a better understanding of the subsurface in terms of barriers to flow, and the variation in hydraulic conductivity would be needed to complete this more accurate characterization," (WRA, p. 20), TEAM Engineering states that development so far "has caused some decline in groundwater levels (from 1 to 40 feet...)." (WRA, p. 20). This is groundwater decline *without* taking into account the Swall Meadows water pumped from WCCSD No. 4 to be distributed downslope by the WCCSD.

TEAM states that "Resolution of the various estimates of groundwater decline due to current development lies in developing a more complete and accurate conceptualization of the groundwater flow system." (WRA, p. 20). Yet they go on to concede that a drawdown of less than 0.5 feet one mile from the well after one year of pumping "is considered to be an underestimate of the potential impact." (WRA, p. 20). A drawdown of even one foot one mile away would produce greater drawdowns within that mile, and drawdown would undoubtedly be greater if barriers existed within that mile. "For the type of vegetation in the area, a drop of more than one foot over a year would likely be considered significant." (WRA, p. 8).

Section 6.0: After including all of their qualifiers for the lack of "available data," the authors make the erroneous and irresponsible conclusion that "proposed operation of WCSSD No. 4 at a rate of 5.15 million gallons will not have significant impacts to the area." (WRA, p. 21). It should be clear to anyone reading this assessment that there is simply not enough information to characterize this aquifer or justify this conclusion, and by accepting this water assessment, Mono County puts itself at legal risk.

NRC Policy 16: There are several significant problems with this policy, and it is not true that "Potential impacts are mitigated to a less than significant level." (p 35). The most important problem is that there is no wetland vegetation protection from groundwater depletion. The Water Resource Assessment acknowledges that lowering of groundwater levels by more than a foot in wetland areas would be significant, yet there is no mention of how this will be assessed. In fact, there is no plan to monitor vegetation at any phase of this development. As it reads now, there is absolutely no mitigation of adverse effects due to pumping, even in the case of severe drawdown.

In their Oct. 20, 1998 letter to Mr. Hartstrom, the Lahontan Region of the California Regional Water Quality Control Board specifies that "any disturbed wetlands will be mitigated so there will be no net loss of wetland acreage..." Why, then, is there no plan to monitor vegetation or mitigate potential impacts to vegetation? Disturbance of wetlands due to groundwater decline in the vicinity of WCCSD Well No. 4 is certainly possible, so why does the DEIR fail to address this issue?

A water level decline of 5 feet in the monitoring well (WCCSD No. 3) is severe enough to kill nearby wetland vegetation, yet the only proposed use for this "trigger" is to collect and analyze more data. Waiting for full buildout to even "evaluate the potential for impact" is irresponsible because any damage will already have been done.

Another problem is the collection of data by the entity that benefits from the water being pumped from WCCSD No. 4. This should be done by a more objective body, such Mono County or an appropriate consultant. How will the groundwater level data collected by WCCSD be used? There is nothing in this policy that states what plan of action will follow from data collection.

There should be language in Policy 16 that *requires* nearby wells to be monitored, and that *requires* some concrete action to come into play, such as limiting pumping, when water levels decline too much. If this project in some capacity does go forward, each successive phase should be dependent on showing no significant damage to wetland vegetation or to other domestic wells from the previous phase.

One crucial, major point this DEIR fails to address is how future water use by the Piñon Ranch development will impact local ground-water levels. Since the proposed system will be "fully integrated with the existing Piñon Ranch system" as described on page 10, how do we know that estimated water use (pumped from WCCSD No. 4) will not rise significantly as homes in Piñon Ranch are built? There are currently over 20 undeveloped lots in the Piñon Ranch subdivision, which means the water use figures estimated and "analyzed"

for 35 homes are meaningless. Since the annual estimate of 5.15 million gallons is suspect for reasons cited earlier, "improving the water supply for Piñon Ranch area" will undoubtedly lead to larger water use than estimated. Since Piñon Ranch already has a water system, why is it necessary to integrate the two water systems?

This increased pumping to augment the water use in Piñon Ranch is a potentially significant impact that this DEIR fails to address. Furthermore, the inevitable future water use in Swall Meadows and Hilltop Estates constitutes a "cumulative impact," (CEQA Guidelines Sec. 15355) that is not addressed. The future cumulative impact on water resources in the Wheeler Crest area should be of concern to Mono County, and should have been addressed in this DEIR. The WCCSD should represent all of Swall Meadows because the impacts of their water use may be felt by all of Swall Meadows. Future water use is certainly of great concern to me and other residents of Swall Meadows.

Vegetation

There is no mention in the DEIR of a survey for rare plants. The Environmental Analysis of Vegetation simply states that no rare plants occur onsite and cites 2 figures in the "MEA." The Mono County Master Environmental Assessment "should be reviewed periodically and revised as needed so that it is accurate and current." (CEQA Guidelines Section 15169). The MEA clearly states that "Data base information ... does not constitue a final assessment of special status plants and animals in a given area." (MEA, p. 212). If no onsite survey for special status plants was done, how can it accurately be stated that "no rare or endangered plant species occur onsite," (p. 36)? In the California Native Plant Society's Inventory of Rare and Endangered Vascular Plants of California, James Nelson of Department of Fish & Game writes that "It is appropriate to conduct a botanical field survey to determine if ... rare plants will be affected by a proposed project when ... no initial biological assessment has been conducted and it is unknown whether or not rare plants or their habitat exist on the site." (CNPS, 1994, p. 29)

A 30-foot setback from onsite perennial drainages seems adequate, but these drainages are not shown on Figure 4. The use of native plants for revegetaion is a good idea, but Design Guidelines (DG) Policy 10a, which requires screening of "... an inner strip of trees and an outer dense strip of native shrubs," conflicts with state fire safety laws which require removal and/or thinning of native vegetation around homes (see California Interagency Fire Safety Inspection Notice). Will homeowners be required to comply with state fire safety laws or with Design Guideline policies that are used to mitigate for impacts to deer?

Is it practical to expect a County Code Enforcement Officer to monitor vegetation clearance and revegetation on all of the proposed lots for a period of five years? What constitutes success, and who will enforce any necessary replanting? Can lot owners really be expected to revegetate cleared areas "as soon as possible" using only "native seeds, native plants grown from seeds or seedlings obtained from local native stock." (NRC Policy 11)?

Wildlife

The Environmental Analysis of impacts to wildlife, specifically Round Valley mule deer, states that the Deer Study "lists mitigation measures to avoid or mitigate potential impacts to a less than significant level." (p. 37). This contradicts the Deer Study which, though acknowledging the likely purchase by CDFG of property for Open Space, states that "... the overall impact of loss of migration and winter habitat constitutes a significant environmental effect which cannot be mitigated to a less than significant level." (Taylor, p. 38). Furthermore, if homeowners comply with state fire safety laws, then screening (DG Policy 10a) and minimal clearing (NRC Policy 9) cannot be used or credited for mitigation.

The discussion of establishing wide setbacks adjacent to the 100 acre deer migration corridor is very difficult to comprehend because the site plan and lot numbers have changed since the Deer Study was completed. However, it seems that the author is arguing for a "buffer between the development and proposed CDFG land" to "... provide a larger area of contiguous, unfragmented habitat for deer and other wildlife, and serve to protect the important drainage..." (Taylor, p. 37). Isn't Taylor arguing for Alternative 2 which eliminates 12 lots adjacent to the CDFG Open Space area? If Mono County and the developers were heeding what the Deer Study claims, and making an honest effort to mitigate impacts to a "less than siginificant level," then the Proposed Project would be similar to Alternative 2. A new map that shows the most heavily used deer trails and drainages would be a good place to start when deciding on where to situate lots.

While many of the mitigation measures - such as limiting construction to winter months, restraining domestic animals, prohibiting lighting of the deer corridor, requiring setbacks, revegetating disturbed areas, and establishing warning signs for drivers - will reduce the overall impact of the project, it cannot be accurately stated that these measures will reduce the impacts to "a less than significant level." (p. 40). As Taylor states "... an increase in the number of humans and their pets could constitute a significant environmental effect which can be mitigated, but not to less than significant levels." (p. 34).

The Master Environmental Assessment was referenced in the Environmental Analysis of Wildlife for the statement that "no rare or endangered wildlife species occur onsite." (p. 38). Was a survey for rare or endangered species ever done onsite? Figure 28L of the MEA maps the Kingston mountain chipmunk, *Tamias panamintinus acrus*, in an area that includes the eastern portion of the Rimrock Ranch Project site. This is a CDFG "species of concern" and potential impacts to this chipmunk should have been addressed in the DEIR.

Conclusions

Assuming that a new pump test and proper well monitoring show an adequate water supply for approximately 60 undeveloped lots (35 in Rimrock and approximately 25 in Piñon), the project should be built in successive phases that are each dependent on showing no negative impacts (due to pumping) to vegetation or nearby domestic wells. As the Water Resource Assessment points out, and as LADWP pumping paractices in the Owens Valley have demonstrated, wetland vegetation is highly susceptible to groundwater depletion. A drawdown of 1 to 2 feet is enough to impact willows, and several stands grow within 300 feet of WCCSD No.

4. If these wetland areas were properly monitored for a time period long enough to assess impacts due to pumping (versus impacts due to annual precipitation), then those data could be used to either give the go-ahead on the next phase, or stop the development before further impacts are realized.

I want to add that I do not believe John Wilson would intentionally pump enough water to severely impact wetland areas and personal wells. Nonetheless, there should be monitoring of vegetation to assess any impacts and adequate measures to mitigate any impacts caused by pumping. I also do not believe Mr. Wilson would pursue a development proposal with water demands that could be shown to negatively impact vegetation and nearby wells.

I cannot accept this Plan DEIR as described nor promote any of the alternatives without first understanding the aquifer and its potential drawdown due to realistic projected water needs. There is currently not enough information related to aquifer characteristics and necessary pumping scenarios to make an assessment on a redesigned project. Alternative 4 is unacceptable because it would reduce the minimum lot size from 2 acres gross (a recent rezoning from 2 acres net) to one acre, a General Plan Amendment which I would not support.

In summary, with the failure of this DEIR to address future water use from Piñon Ranch, with its inadequate characterization of the aquifer based on an improper pump test and insufficient data, and its lack of rare plant or animal surveys, it is clear to me that the residents of Swall Meadows need to review a Revised Draft EIR before a Final EIR is prepared.

Thank you for considering my concerns and comments. Please send me all future notices relevant to this project. I hope the county will send future notices to all other "owners and occupants of contiguous property." (CEQA Guidelines Sec. 15087 (a)(3)).

Sincerely,

Stephen Ingram

Stephen Ingram

CC: Michelle Ochs, Lahontan Regional Water Quality Control Board
Rick Kattlemann, Mono County Planning Commission
Denise Racine, Department of Fish & Game

Response to # 35 from Stephen Ingram dated October 4, 2000

Water Resources Impacts.
Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

No Study for Rare/Endangered Plants and Animals.
The CEQA does not specifically require on onsite survey for rare and endangered species; it requires information concerning the presence of such species in the project vicinity. The need for a rare plant survey was obviated by the fact that information presented in the County's Master Environmental Assessment (MEA), the Deer Study (Taylor, 1993) and other environmental documents (Bagley, 1990) revealed that the likelihood the project site contains special status species is not great.

A review of the California Natural Diversity Database (CNDDB) showed no indication of rare or endangered animal species within the project vicinity; additional surveys onsite are not likely to yield additional information. The primary wildlife concern in the project vicinity is the migration corridor and habitat for the Round Valley deer herd. That concern was addressed by specific wildlife studies and by the sale of 100-acres of the project site to the California Department of Fish and Game for preservation as wildlife habitat.

Drainages on Map.
A drainage map has been added to the FEIR (see Appendix C).

Fire-safe Requirements.
Chapter 19.26, Fire-safe Regulations, of the Mono County Code (Chapter 22 of the Land Development Regulation in the Land Use Element) addresses requirements for fire protection. Those regulations establish basic wildland fire protection standards for emergency access; signing and building numbering; emergency water supplies; and vegetation modification.

Although the Rimrock Ranch Specific Plan has been designed in compliance with the Fire-safe Regulations, the following policy has been added to the Specific Plan to clarify the need for compliance with those regulations:

> Natural Resource Conservation Policy 17:
> The project shall comply with the Fire-safe Regulations (Mono County Code 19.26; Land Use Element, Land Development Regulations Chapter 22) pertaining to emergency access; signing and building numbering; emergency water supplies; and vegetation modification (see also Infrastructure Policy 3 pertaining to emergency water supplies; Design Guidelines Policy 10 pertaining to landscaping and vegetation modification; and Traffic Policy 3 pertaining to fire-safe standards for roadway construction).

In response to this comment and similar ones, Design Guidelines Policy 10a has been modified as follows to eliminate conflict between the fire-safe regulations and requirements for onsite landscaping/revegetation:

> Landscaping shall be used to minimize potential visual impacts resulting from development and to provide vegetative screening ~~around structures~~ to reduce deer avoidance of developed areas (C.C.&R's and Taylor, 1993). Screening cover should be planted in a minimum 20-foot-wide band ~~around each residential site~~ along property boundaries and established deer use areas (see the Amended Deer Use Maps, Appendix B of the FEIR),

consisting of an inner strip of indigenous trees and an outer dense strip of ~~native~~ indigenous shrubs.

Deer Study Map.
The Deer Study map has been updated to show the current lot configuration (see Appendix B).

Deer Study Conclusion That Project Cannot Be Mitigated to Less-than-significant level.
The Deer Study concludes that, even with mitigation, the project would incur unavoidable significant impacts to the Round Valley deer herd. The DEIR misstated this conclusion by stating that potential impacts to the deer herd could be mitigated to a less-than-significant level. The FEIR has been modified to correct this misstatement; even with mitigation, the project would result in unavoidable, significant impacts to the Round Valley deer herd.

EIR Should Address the Kingston Mountain Chipmunk.
The Kingston Mountain Chipmunk (*Tamias panamintinus acrus*), also known as the Panamint Chipmunk, does not show up on the California Natural Diversity Database (CNDDB) in the project vicinity. Its habitat is primarily rocky outcrops and its presence in sagebrush scrub habitat may be precluded due to its low heat tolerance.

Keith Hartstrom
Mono County Planning Department

4 October 2000

Dear Mr. Hartstrom:

As a resident and homeowner of Swall Meadows I am profoundly alarmed and distressed about the proposed development here. I have carefully read the DEIR for the plan and find it terribly inadequate and incomplete. I have numerous concerns, all of which stem from a blatant attempt to push the plan through before many elements are addressed.

First, the draw down of water from Upper Swall to the development site and Piñon Ranch has not been adequately researched, *nor are there any safeguards built in if the water table in Upper Swall lowers.* The aquifer in Swall has been steadily declining, yet the proposed plan intends to draw an unlimited amount of water for future residences. This not only seems imprudent and foolish, it is unfair to existing residences. Tell me what recourse homeowners have if our wells run dry? Why would this plan be allowed to continue when it may have a severe detrimental affect on our water supply? Mr. Hartstrom, I can't convey how upsetting this is to me; while I am not against more homes being built in Swall Meadows, the Planning Department needs to recognize that it is a desert environment, and therefore the density of residences needs to be very carefully controlled.

Second, with respect to the environmental assessments needed to proceed with the proposed development, the DEIR contains nothing but arm waving. There has never been a survey done which scientifically demonstrates that the development site does not contain rare plants or animals, *as it is required to do.* Further, it states that the cleared areas will be replanted with native species. *To whose specifications?* There is a cleared area off Willow Road that was supposed to be replanted and instead there is an ugly scarred rubble field. Needless to say, I am not impressed with that restoration effort, and therefore I have no confidence whatsoever in their intentions to restore the new building site. And with respect to native mule deer, what does "...loss of migration and winter habitat constitutes a significant environmental effect which cannot be mitigated..." mean? I read that our deer population will be negatively and permanently impacted, which I find unacceptable.

Mr. Hartstrom, please consider my concerns carefully. There are compromises to this building plan that may mitigate the negative impact on the quality of life of the residents

and wildlife of Swall Meadows: perhaps the home sites should be doubled in size, thereby halving the number of new residences? Maybe the new sites should be sold with water restrictions, or the local CCR's stipulate that lawns and other ornamentals could not be planted.

I strongly request the Planning Department of Mono County reconsider passing this development plan. Please, do the right thing.

Sincerely,

Skyli McAfee, Biologist
519 Willow Road
Swall Meadows

Response to # 36 from Skyli McAfee dated October 4, 2000

Water Resources Impacts.
Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

No Study for Rare/Endangered Plants and Animals.
The CEQA does not specifically require on onsite survey for rare and endangered species; it requires information concerning the presence of such species in the project vicinity. The need for a rare plant survey was obviated by the fact that information presented in the County's Master Environmental Assessment (MEA), the Deer Study (Taylor, 1993) and other environmental documents (Bagley, 1990) revealed that the likelihood the project site contains special status species is not great.

A review of the California Natural Diversity Database (CNDDB) showed no indication of rare or endangered animal species within the project vicinity; additional surveys onsite are not likely to yield additional information. The primary wildlife concern in the project vicinity is the migration corridor and habitat for the Round Valley deer herd. That concern was addressed by specific wildlife studies and by the sale of 100-acres of the project site to the California Department of Fish and Game for preservation as wildlife habitat.

Monitoring Entity.
Compliance with State and local development requirements, including Specific Plan requirements, is the responsibility of County staff. Throughout the development process and afterwards various County personnel are responsible for ensuring that the development complies with all applicable policies and regulations, including staff from the following departments: Planning, Building, Public Works, Environmental Health, and Code Compliance.

Mono County Planning Oct 4, 00

RECEIVED
OCT 09 2000
MONO COUNTY
CDD/PLANNING

Dear Mr. Harstrom,

I HOPE THIS LETTER GETS TO YOU BY OCT 9, BEING MAILED FROM YELLOWSTONE, WHILE I'M ON VACATION. I HAVE SERIOUS CONCERNS OVER THE WATER ISSUE AT THE RIM ROCK DEVELOPMENT. WATER USUAGE, RIGHTS, AND DEPLETION ARE ALWAYS AN ISSUE IN THE OWENS VALLEY. HOW WELL DOCUMENTED IS THE AQUIFER SYSTEM UNDER THE SWALL-PARADISE SLOPE? IF MR. WILSON CAN FORM A WATER DISTRICT AND PUMP AS MUCH WATER AS HE WANTS CAN I DO THE SAME AND START MY PRIVATE LABEL WATER BOTTLING COMPANY. HOW WILL THIS LARGE PUMPING OPERATION AFFECT MY WELL? WILL YOU PROVIDE WRITTEN GUARANTEES TO THE HOMEOWNERS THAT THEIR WELL LEVELS, QUALITY, OR QUANTITY OF WATER WILL NOT BE DEGRADED? I LIVED IN SANTA BARBARA DURING THE DROUGHT AND THERE WERE SEVERE RESTRICTIONS, PENALTIES, AND HIGH COSTS WITH HIGH WATER USAGE. I YOU KNOW WHAT? THE RICH USED WATER AS THEY PLEASED BECAUSE THEY COULD AFFORD IT, DAMN THE CONSEQUENCES. DEPT OF WATER LA HAS A SIMILIAR APPROACH UNLESS LEGAL AVENUES ARE EMPLOYED. WHILE I DON'T EXPECT, OR EVEN CONSIDER IT DESIRABLE, TO PREVENT MORE RESIDENCES IN SWALL MEADOWS WE NEED TO

HAVE VALID DATA, WHICH I DON'T FEEL WE YET HAVE, TO DETERMINE THE EFFECTS ON OUR WELL WATER. CALIFORNIA HISTORY IS REPLETE WITH WATER HORROR STORIES AND WITHOUT IT THERE IS HARDSHIP AND FINANCIAL LOSS. HERE IN YELLOWSTONE IT IS VERY DEPENDENT ON ITS UNDERGROUND WATER PLUMBING SYSTEM. IT TOO IS FLUSH WITH WATER. BUT GUESS WHAT, A LITTLE EARTHQUAKING AND THAT WATER SYSTEM CHANGES SLIGHTLY AND A GEYSER (OR WELL) RUNS DRY. WHAT PREVENTS ANY OF US HOMEOWNERS FROM USING AS MUCH WATER AS WE WANT? OR DRILLING WELLS IN EXCESS OF 6" DIAMETERS?

PLEASE ADDRESS THESE ISSUES BEFORE APPROVING THE EXISTING INSUFFICIENTLY ~~STUDIED~~ STUDYED WATER ISSUES.

SINCERELY,

GARY R. CLARK
240 MOUNTAIN VIEW DR
SWAN MEADOWS

LONG LIVE MONO LAKE!

Response to # 37 from Gary Clark dated October 4, 2000

Water Resources Impacts.
Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

10/5/00
175 Foothill Rd.
Swall Meadows, 93514
760-387-1096

Mr. Keith Hartstrom
Mono County Planning Department and
Mono County Board of Supervisors:

This letter is a commentary on the Rimrock DEIR. I think that there are serious flaws in the current DEIR on three major fronts. The first area of concern is on the source of technical information that undergirds both the assumptions and conclusions reached. The second area of concern is the premises that are used for the EIR, and third, are the important issues that are not addressed by the EIR. At the very least, there needs to be a major revision of the current DEIR.

1. The scientific and technical data for the review may be biased because there may be an inherent conflict of interest because of Triad Engineering's possible investment in the project at the time data was being developed.

2. The water yields are calculated on the basis of a continuous flow from a uniform aquifer, and there is no evidence to support that assumption. Since this area is highly mobile and seismic, there well may be discontinuities. A competent geological study should be included.

3. The water usage projections are too conservative, as suggested by the recent doubling of usage for current homes. There are many existing lots which will be built upon in the future, further tapping available water.

4. Perhaps most glaringly absent is a pump recovery test.

5. There were no, or insufficient observation wells.

6. The current study assumes that there are no geological aquifer boundries.

7. Any drawdown figures assume a uniformity that may not exist, i.e. drawdown at the upper end of the aquifer in old Swall may be much greater than an average.

8. There was no vegetation monitoring; since the well for Rimrock is at the edge of a critical deer and wetland area, the effects may be highly significant.

9. There is no justification for the DEIR to claim that impacts on the deer herd will be insignificant.

10. The studies assumption that there will be dense vegetation around dwellings conflicts with fire control measures. The issue of landscaping and fencing will have significant impacts on wildlife.

11. There is too little attention given to the impacts of light, noise and traffic on wildlife and existing residents.

These issues and others are sufficient reasons to require more data, time and effort is determining whether or not this project should be allowed. Finally, no attention has been paid to what will be done when the effects of such a project are not within the boundaries of what was projected. We already have too many instances of having to live with the negative results of projects which were insufficiently planned and hastily implemented.

Sincerely,

Richard Arnold

Richard Arnold

Response to # 38 from Richard Arnold dated October 5, 2000

Triad Engineering Potential Conflict of Interest.
CEQA allows the project applicant to provide information for the environmental document. Mono County Counsel has reviewed the issue and found that there does not appear to be a conflict in this case.

Water Resources Impacts.
Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

Fire-safe Requirements.
Chapter 19.26, Fire-safe Regulations, of the Mono County Code (Chapter 22 of the Land Development Regulation in the Land Use Element) addresses requirements for fire protection. Those regulations establish basic wildland fire protection standards for emergency access; signing and building numbering; emergency water supplies; and vegetation modification.

Although the Rimrock Ranch Specific Plan has been designed in compliance with the Fire-safe Regulations, the following policy has been added to the Specific Plan to clarify the need for compliance with those regulations:

> Natural Resource Conservation Policy 17:
> The project shall comply with the Fire-safe Regulations (Mono County Code 19.26; Land Use Element, Land Development Regulations Chapter 22) pertaining to emergency access; signing and building numbering; emergency water supplies; and vegetation modification (see also Infrastructure Policy 3 pertaining to emergency water supplies; Design Guidelines Policy 10 pertaining to landscaping and vegetation modification; and Traffic Policy 3 pertaining to fire-safe standards for roadway construction).

In response to this comment and similar ones, Design Guidelines Policy 10a has been modified as follows to eliminate conflict between the fire-safe regulations and requirements for onsite landscaping/revegetation:

> Landscaping shall be used to minimize potential visual impacts resulting from development and to provide vegetative screening ~~around structures~~ to reduce deer avoidance of developed areas (C.C.&R's and Taylor, 1993). Screening cover should be planted in a minimum 20-foot-wide band ~~around each residential site~~ along property boundaries and established deer use areas (see the Amended Deer Use Maps, Appendix B of the FEIR), consisting of an inner strip of indigenous trees and an outer dense strip of ~~native~~ indigenous shrubs.

Impacts of Light, Noise and Traffic on Deer Herd.
The impacts of light, noise and traffic on the deer herd are analyzed in the Deer Study (Taylor, 1993) prepared for the project. The Rimrock Ranch Specific Plan contains policies/mitigation measures which specifically address the effects of lights, noise, and traffic on the deer herd:

Design Guidelines Policy 2
Exterior lighting on individual lots shall be designed and maintained to minimize the effects of lighting on the surrounding environment. Exterior lighting shall be limited to that necessary for health and safety purposes; high-intensity outdoor lighting shall be avoided or adequately shielded; the source of lighting must be concealed on all exterior lighting, and all lighting must be

designed to confine light rays to the premises of each individual lot. In no event shall a lighting device be placed or directed so as to permit light to fall upon a public street, adjacent lot, or adjacent area. Lights which could potentially illuminate the deer habitat on the DFG parcel shall be prohibited (i.e. on Specific Plan lots 1-9, and 35).

Natural Resource Conservation Policy 2
Construction shall be limited to daylight hours in accordance with Mono County Code Chapter 10.16 (Noise Regulations) in order to minimize impacts to nocturnal resident wildlife species, such as mule deer (Taylor, 1993).

Natural Resource Conservation Policy 8
Noise levels during construction shall be kept to a minimum by equipping all onsite equipment with noise attenuation devices and by compliance with all requirements of Mono County Code Chapter 10.16 (Noise Regulation).

Traffic and Circulation Policy 7
To minimize direct mortality impacts to the deer herd from vehicle collisions, signs shall be posted along roads within the project area warning drivers of the presence of deer (Taylor, 1993).

California Native Plant Society

P.O. Box 1141, Bishop, CA 93515
October 5, 2000

Mr. Keith Hartstrom
Senior Planner
Mono County Planning Department
P.O. Box 8
Bridgeport, CA 93517

Dear Mr. Hartstrom,

The Bristlecone Chapter of the California Native Plant Society would like to comment on the Rimrock Ranch Draft Specific Plan and Environmental Impact Report. We are very concerned about the potential impacts of groundwater pumping on wetland vegetation in the Swall Meadows area. As you are probably well aware, decades of excessive groundwater pumping by the Los Angeles Department of Water and Power in the Owens Valley have led to the disappearance of several seeps and spring habitats, and have severely impacted vegetation in other areas of high groundwater. While the scale of the water pumping for the project in Swall Meadows is obviously much smaller than DWP's pumping scenarios in Inyo County, the smaller local aquifer is probably much less tolerant of significant drawdown.

The Rimrock Ranch DEIR fails to address the protection of wetland areas from groundwater depletion. The Natural Resource Policy 16 does not include any vegetation monitoring or any active mitigation plans to deal with potential impacts. The fact that no pumping rotation or limitations are included for mitigation makes us question what might happen if groundwater depletion due to pumping leads to destruction of nearby wetlands. There should be a plan to monitor wetland vegetation that will potentially be impacted. Willows (*Salix* spp.) and other wetland plants comprise an important plant community and are highly susceptible to groundwater drawdown.

The Rimrock Ranch DEIR also lacks a rare plant survey, which should be done according to the California Environmental Quality Act (CEQA). Mono County's Master Environmental Assessment is for identifying and organizing environmental information from the California Natural Diversity Data Base (CEQA 15169(a)), and is not intended to be a substitute for onsite botanical surveys.

Thank you for considering our input to this DEIR.

Sincerely,

Scott Hetzler, President
Bristlecone Chapter, CNPS

Daniel Pritchett, Conservation Chair
Bristlecone Chapter, CNPS

Dedicated to the preservation of California native flora

Response to # 39 from California Native Plant Society dated October 5, 2000

Water Resources Impacts.
Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

No Study for Rare/Endangered Plants.
The CEQA does not specifically require on onsite survey for rare and endangered species; it requires information concerning the presence of such species in the project vicinity. The need for a rare plant survey was obviated by the fact that information presented in the County's Master Environmental Assessment (MEA), the Deer Study (Taylor, 1993) and other environmental documents (Bagley, 1990) revealed that the likelihood the project site contains special status species is not great.

MONO COUNTY PLANNING DEPARTMENT
ATTN: KEITH HARTSTROM

RE: RIMROCK RANCH DRAFT EIR

I HAVE READ THE DRAFT EIR, AND I REQUEST THE PLANNING DEPARTMENT TO CONSIDER THE FOLLOWING COMMENTS IN MAKING THEIR DECISION ON THIS PROPOSED PROJECT.

CORRECT ME IF I AM WRONG, BUT MY UNDERSTANDING IS THAT AN EIR IS AN INDEPENDENT STUDY OF THE PROPOSED PROJECTS IMPACT ON THE ENVIRONMENT.

THE WATER RESOURCE ASSESSMENT (TEAM ENGINEERING) DOES ABSOLUTELY NO INDEPENDENT INFORMATION GATHERING OR STUDY. THEY SIMPLY USE THE DEVELOPERS DATA FROM AN OLD OUTDATED AND INADEQUATE WATER SYSTEM THAT WAS CREATED WHEN EARLIER LOTS WERE SUBDIVIDED MORE THAN TWENTY YEARS AGO. THIS DATA, ALONG WITH FIGURES GENERATED BY TRIAD / HOLMES ASSOCIATES, WHO HAVE A FINANCIAL INTEREST IN THIS PROPOSED DEVELOPMENT, ARE THEN FED TO THE "INDEPENDENT" AUTHOR OF THE WATER RESOURCE ANALYSIS, TEAM ENGINEERING, WHICH THEN COMES UP WITH A RUBBER STAMP, ONE LINE CONCLUSION, THAT POTENTIAL IMPACTS ARE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL.

I WILL SIGHT JUST ONE EXAMPLE OF HOW LITTLE UNDERSTANDING TEAM ENGINEERING HAS OF THE REAL SITUATION THAT EXISTS IN SWALL MEADOWS.

2.0 ESTIMATED WATER NEEDS AT BUILDOUT

"NOTE THAT THE SUMMARY TABLE DEPICTS A SITUATION WHERE WATER USE HAS NEARLY DOUBLED OVER THE LAST FIVE YEARS. SINCE THE DATA THAT WERE PROVIDED STATE THAT NO NEW HOMES WERE ADDED DURING THESE FIVE YEARS, PER HOME WATER USE HAS ALSO NEARLY DOUBLED." (DATA PROVIDED BY TRIAD HOLMES ENGINEERING)

THE REALITY IS THAT THE NEW HOME WAS ADDED TO THE SYSTEM PRIOR TO THE "STUDY PERIOD" BUT WAS NOT LIVED IN YEAR ROUND UNTIL THE OWNERS RETIRED, MOVED TO SWALL MEADOWS AND BEGAN PLANTING TREES AND INSTALLING IRRIGATION SYSTEMS.

IN OTHER WORDS, ONE CONTEMPORARY HOME WITH THE ATTENDANT LANDSCAPING AND WATER DEMANDS, THAT ARE THE RULE RATHER THAN THE EXCEPTION NOWADAYS, IS THE MAIN REASON WATER USE DOUBLED AND STRAINED THE CAPACITY OF THE ANTIQUATED WATER SYSTEM USED AS THE ENTIRE DATA BASE FOR THE WATER RESOURCE ASSESSMENT COMPONENT OF THIS EIR. TEAM ENGINEERING PUZZLES OVER THIS DATA AND STATES, "REASONS FOR THE DRAMATIC INCREASE IN WATER USE, ASSUMING THAT THE DATA RELATED TO THE NUMBER OF HOMES IS CORRECT, ARE NOT OBVIOUS. HELLO!

LET'S FACE IT, A MORE THOROUGH AND SCIENTIFIC STUDY OF FECAL DEER PELLETS WAS DONE IN THIS EIR.

TEAM ENGINEERING DISCUSSES THE POTENTIAL UNDESIRABLE EFFECTS OF OPERATING WCCSD #4 WITH THE STATEMENTS THAT, "THE LOWERING OF WATER LEVELS IN A NEIGHBORING WELL WOULD BE CONSIDERED SIGNIFICANT IF THE NEIGHBORING WELL EITHER WENT DRY OR ITS PRODUCTION WAS DECREASED TO THE POINT THAT THE WELL OWNER COULD NOT USE IT EFFECTIVELY. NO KIDDING! THEY FURTHER ADMIT ON PAGE 21 OF THE REPORT, THERE MAY BE SOME SPECIFIC INSTANCES, HOWEVER, WHERE IMPACTS MAY OCCUR." WHO IS GOING TO MITIGATE THAT VERY REAL POSSIBILITY?

WHY SHOULD THE UNRESTRICTED PUMPING OF A LARGE NEW WELL AND STORAGE SYSTEM BE APPROVED WHEN THERE ARE ALREADY NUMEROUS INSTANCES OF WELL PROBLEMS SUCH AS DRAWDOWN, SILTING, AND OUTRIGHT FAILURE IN SWALL MEADOWS.

IF WATER IS A "NO PROBLEMO" ISSUE, THE PROPONENTS OF THIS DEVELOPMENT SHOULD HAVE NO OBJECTIONS TO ENFORCEABLE LIMITS ON THIS SYSTEM TO PROTECT THEIR NEIGHBORS.

WHETHER OR NOT RIMROCK RANCH IS ULTIMATELY APPROVED OR NOT, IT WOULD BE DERELICT OF THE PLANNING DEPARTMENT TO APPROVE A DRAFT EIR THAT IS SO INADEQUATE AND FULL OF CONFLICT OF INTEREST, ESPECIALLY WITH REGARD TO THE WATER RESOURCES ISSUE.

SINCERELY

Gloria Vaughan 10/5/00

101 N. VALLEY VIEW
SWALL MEADOWS, CA
93514

Response to # 40 from Gloria Vaughn dated October 5, 2000

Triad Engineering Potential Conflict of Interest.
CEQA allows the project applicant to provide information for the environmental document. Mono County Counsel has reviewed the issue and found that there does not appear to be a conflict in this case.

Water Resources Impacts.
Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

Subject: Rimrock Ranch Draft EIR
Date: Fri, 6 Oct 2000 19:51:56 -0800
From: oakeshott@qnet.com (Jeanne Oakeshott)
To: northmono@qnet.com

Below is a copy of the letter I will FAX on Monday, February 9, 2000. I just wanted to make sure you got a copy. I was planning on delivering it to the South County Offices, but then realized this isn't where it needed to get by the deadline. Thanks!

59 Valley View Road
Swall Meadows, CA 93514
October 6, 2000

Mono County Planning Department
Keith Hartstrom, Senior Planner
P.O. Box 8
Bridgeport, CA 93517

Dear Mr. Hartstrom:

Thank you for granting an extension to comment period of the Rimrock Ranch Draft Specific Plan / EIR. I have already sent you one letter at the end of August but this extension has given me time to review the document in greater depth. Consequently, I have additional concerns and would like these addressed in a Revised Draft EIR.

Pg. 32 Water Resources: Supply: The third paragraph states: "The new Rimrock system will be fully integrated with the existing Pinon Ranch system...improving the water supply for the Pinon Ranch system." Where is the analysis of the demand of the existing Pinon development? How is it possible to measure the use of the Rimrock development if the water is being shared? This is a severe omission in the Draft EIR and should be included in a Revised Draft for the public's scrutiny.

Pg. 72 Cumulative Impacts: This section states: "There are no other known projects proposed for the Wheeler Crest area at this time and little existing development in the area. " The second half of this statement is in direct contradiction to the section noted above under Water Resources where it is noted that Rimrock will be tied into the existing Pinon Ranch development . Pinon Ranch is not at full build-out and if it will be tied into the Rimrock Ranch development, I would like to know the cumulative impacts these two developments will have. Either that or explain your statement regarding
"little existing development" .

Pg. 2 Water Resources Assessment: It is stated that the: "Reasons for the dramatic increase in water use, are not obvious. Increase in landscape irrigation would seem the most reasonable." I have been a fulltime resident of Swall Meadows for the same time period of Table 2 that shows the Peak Monthly WCCSD Water Use and my observation is that the demographics of our community have changed. The number of families with children has increased dramatically. This has great implications in the projection of future annual water use. Consequently, the change in demographics needs to be analyzed and its impact discussed in a Revised EIR rather than making a guess without really looking at what is going on in our community.

The estimates of water demand are obviously critical to establishing

whether or not the proposed water system will meet the needs of the proposed project. If there has been an increase from 494 g/day per home to almost double that at 884 g/day per home in FIVE YEARS, then how can someone deduce that the last year (884) would be the most accurate as is stated? The data indicate a trend to continue to increase as the table shows no leveling out of the use! Why not extrapolate the potential demand at the same rate it has increased during the previous five years? How this demand is calculated is highly questionable and I do not appreciate the caveat "For the purpose of this analysis, however , it will be assumed that the 1998 water use figures are the most accurate". I want to see revised figures that take into account my assumption that the use will continue to increase!

Pg. 3 Water Resources Assessment: I discussed the aquifer test used in this study with a hydrogeologist friend from UC Santa Cruz and he told me that it is "usual practice" to monitor wells at varying distances and directions from the supply well site. Only data from one monitoring well fifteen feet from the supply well are presented! (The "Lowry" well 250' away is mentioned but no data are provided!) How can the authors of this Assessment base their analysis of an entire aquifer on the monitoring of one well fifteen feet away! Even the concluding statements on Pg. 6 validate my concerns. "These aquifer characteristic estimates may not be representative of the entire Swall Meadows area ." In the Revised Draft EIR, I would like the results of a more complete water study to be presented with monitoring wells in all four directions away from the pumping well and at varying distances so that a more accurate picture of the aquifer could be constructed.

Pg. 7-8 Water Resources Assessment: The potential impacts listed in the third paragraph include: "Depending on the location, construction, and general condition of the neighboring well, a one foot drop may be considered significant..." "For the type of vegetation in that area, a drop of more than one foot over a year would likely be considered significant." Where is the monitoring of neighboring wells and vegetation in the mitigation plan? What are the penalties if this well negatively affects a neighboring well or local vegetation? I want to see this information in the Revised EIR.

Pg. 20 Water Resources Assessment: The authors of this study cover themselves by writing statements such as: "Resolution of the various estimates of groundwater level decline due to current development lies in developing a more complete and accurate conceptualization of the groundwater flow system. Additional data....would be needed to complete this more accurate characterization." This does not reassure me. I would like these studies to be done before I accept the assumptions based on their own admission of lack of data!

Pg. 22 Water Resources Assessment: "The most severe limitation of this analysis is the available data." Please GET the data to do a reasonable analysis! The public deserves a better study!

Pg. 22 Water Resources Assessment: And after all this data about the doubling in five years of home water use, the mitigation plan recommends: "Because the potential for impact is low, pumping rotation or limitations are not part of this monitoring and mitigation plan." This recommendation needs to be omitted and this development should require rigorous water use limitations in case the very hypothetical demands are underestimated!

Pg. 35 Deer Study: From the Habitat Removal and Alteration section, the concluding paragraph states: "Impacts resulting from loss and alteration of sagebrush scrub community can be mitigated to less than significant levels but the overall impact of loss of migration corridor habitat constitutes a significant environmental effect which cannot be mitigated to a level of insignificance." I would like an explanation of how the authors

of this Draft EIR could disregard the biologist's conclusions and write on Pg. 71 that there are "no unavoidable significant environmental effects.."! I appreciate that there are attempts to mitigate some of the impacts, but the author of these mitigation efforts does not believe that they will be reduced to insignificant levels. The summary of Mr. Taylor's work in the Environmental Analysis on Pg. 37 misstates Mr. Taylor's own conclusions!!! Please change the Impact Summary on Pg. 71 to inform people that there IS an UNAVOIDABLE SIGNIFICANT ENVIRONMENTAL EFFECT to the deer so that they may evaluate this proposal with the biologist's assessment of the impacts to the deer population.

John Wilson has been a good neighbor to us and shares many of the same values that brought my husband and me to Swall Meadows. It is unfortunate that this incomplete Draft EIR might cause him delays. However, a Revised Draft EIR needs to be done before I can fairly assess the impacts of his proposal without bias, but with the greatest amount of accurate information. I volunteer as Chair of the Wheeler Crest RPAC because I care a lot about the future of my community. Rimrock Ranch is the largest development facing Swall Meadows and I look forward to spending the effort and time needed to thoughtfully review this revised document.

Sincerely,

Jeanne Oakeshott

Response to # 41 from Jeanne Oakeshott dated October 6, 2000

Water Resources Impacts.
Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

Buildout of Pinon Ranch Should Be Considered in Cumulative Impact Analysis.
The buildout of Pinon Ranch has already been analyzed in the EIR for the Mono County General Plan (1993) and the EIR for the Land Use Amendments (2000).

Deer Study Conclusion That Project Cannot Be Mitigated to Less-than-significant level.
The Deer Study concludes that, even with mitigation, the project would incur unavoidable significant impacts to the Round Valley deer herd. The DEIR misstated this conclusion by stating that potential impacts to the deer herd could be mitigated to a less-than-significant level. The FEIR has been modified to correct this misstatement; even with mitigation, the project would result in unavoidable, significant impacts to the Round Valley deer herd.

Mono County Planning Dept.
P.O. Box 8
Bridgeport, Ca. 93517

Dear Mono County Planning Commission

RE: Rimrock Ranch Draft
Specific Plan / EIR July 15th, 2000

I have owned a home in Swall Meadows for over 13 years. Over the years I have seen the area becom more developed, witnessed the positive and negative consequenses of this developement.

I have revieved the above mentioned Rimrock Ranch Draft Specific Plan / EIR, July 15th, 2000 (hereinafter (EIR) and have two objections and Consequent recommendation

First the water resource mitagation Plan offers no mitagation whatsoever but instead recommends a well monitorin ~~plan~~ schedule. (EIR)(pg 32) The EIR assumes that potential impacts are mitigated (EIR p: A monitoring program is recommended to "be used as an early warning system to ensure that any impact that is measurable, attributable to the operation of WCCSD No. 4,

and significant effect can be avoided." (EIR p. 34-35) The EIR does not state what steps would need to be taken should subsurface groundwater levels drop to unacceptable levels. Implicit though not stated, is that residents would need to use less water and or redrill wells deeper. Redrilling wells deeper would entail costs caused by the Rimrock development.

In this regard the EIR does not adequately address water conservation. Water conservation is an important issue that needs stronger emphasis in any proposed development. For example, over the years I have seen residents of Swall Meadows plant lawns on their property. Numerous lawns have been planted in the adjacent Pinion Pines development as well as the rest of Swall Meadows. A great deal of water is required to maintain a healthy lawn especially in this warm and dry climate. I recommend as a water conservation measure, that lawns be prohibited in the Rimrock development and that this prohibitation be incorporated into the CC&Rs.

Second the wildlife mitigation plan needs to be stronger. The EIR does not set forth any monitoring or enforcement program of the mitigation plan. Implicit in the EIR is a self regulating program Over the years I have observed dogs running Unattended in the Swall Meadow area. After a difficult campaign residents of Swall Meadows were able to persuade the Mono County Board of Supervisors to implement a leash law. Despite this new law I have seen dog owners in the area allow their animals to run unattended. This is especially important in the proposed Rimrock Development area. The corridor for the Mule deer migration is further narrowed by this developement.

The EIR needs to more fully embrace the recommendations set forth on p.39 of the Rimrock Ranch Specific Plan Deer Study, 1993. The EIR also Should Include a monitoring and enforcement plan for the purpose of preserving this precious resource.

Should you have any questions please do not hesitate to contact me.

Yours Truly

Andrew James McMullen
931 Swall Meadows Rd.
Swall Meadows, Ca.
(760) 387-0061
3177 Linda St.
Los Angeles, Ca. 90068
(213) 876-1842

Response to # 42 from Andrew James McMullin dated October 6, 2000

Water Resources Impacts.
Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

Monitoring and Enforcement Plan for Deer Mitigation.
If a project is approved, the CEQA (PRC Section 21081.6) and the Mono County Environmental Handbook require the County to adopt, or make a condition of approval, a reporting and monitoring program to ensure compliance with project mitigation measures or conditions. A complete Mitigation Monitoring Program has been developed for the project (see Appendix E).

Subject: Rimrock development
Date: Fri, 6 Oct 2000 16:01:13 -0700
From: Steven Morgan <sgmorgan@ucdavis.edu>
To: northmono@qnet.com

Keith Hartstrom
Mono County Planning Department
Post Office Box 101
Bridgeport, California
5 October 2000
Dear Mr. Hartstrom:

As a resident and homeowner of Swall Meadows, I am disturbed by the proposed Rimrock development and by the wholly inadequate DEIR for the plan. I also am troubled by the apparent attempt to hastily push this ill-considered plan through, regardless of its obvious flaws and the concerns of many of the residents of our community. I hope that this is not the case and that you are indeed dedicated to serving all of the residents of Swall Meadows and not just the few who stand to profit from this venture.

My biggest concern is the effect on the water table. This development will greatly increase the number of people living in our community. We live in an arid environment and the density of residences must be carefully regulated to ensure that this project and future projects do not unfairly draw down the water resources that the current residents, plants and animals depend upon. As a resident of upper Swall Meadows, I feel particularly vulnerable to a lowering of the water table. It's clear to many of us living here that the aquifer in Swall Meadows has been declining. The recent development of Piñon Ranch likely contributed to this draw down, and now you are pushing ahead with an even larger development without carefully considering the consequences.

The slapdash Water Resource Assessment of the DEIR has done nothing to allay my fears. I found this to be one of the worst pieces of environmental assessment that I have laid eyes on. It's clear that this cursory assessment was either done to obey the letter of the law without paying allegiance to the spirit of the law or that our current board is simply not competent to be entrusted with such an important duty. Although this plan is fatally flawed in many ways, I will just take a moment to highlight a few of the major problems and oversights here.

1. The water system supposedly designed for the Rimrock Ranch development is really going to supplement the entire Pinon Ranch subdivision. The Water Resource Assessment is based on the water needs of the 35 homes of Rimrock Ranch when the system actually would also serve the Pinon Ranch area. Wouldn't this constitute a gross underestimate of the drain on our water resources?

2. A scientific survey was never conducted to determine whether the development site does not contain rare plants or animals, as it is required to do by law.

3. The report suggests that our mule deer population will be negatively impacted by the proposed development, which is unacceptable.

4. A plan for the replanting of cleared areas with native species was not presented, and therefore, cannot be evaluated.

The residents of Swall Meadows have chosen to live in this out-of-the-way place for a reason. Although we recognize that growth is inevitable, we want to be sure that prudent environmental planning guides the

development of our community. A careful, thoughtful DEIR must be conducted that clearly demonstrates that the quality of our lives and the lives of plants and animals are not degraded before you proceed with this project. A new DEIR may well indicate that this property will support fewer residences than are currently proposed. Please do not railroad the residents of Swall Meadows in the rush to approve this project.

Sincerely,

Steven G. Morgan
519 Willow Road
Swall Meadows

Steven Morgan
Associate Professor

Bodega Marine Laboratory Phone (707) 875-1920
University of California Fax (707) 875-2089
2099 Westside Road email sgmorgan@ucdavis.edu
P.O. Box 247
Bodega Bay, CA 94923

Response to # 43 from Steven G. Morgan dated October 6, 2000

Water Resources Impacts.
Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

No Study for Rare/Endangered Plants or Animals.
The CEQA does not specifically require on onsite survey for rare and endangered species; it requires information concerning the presence of such species in the project vicinity. The need for a rare plant survey was obviated by the fact that information presented in the County's Master Environmental Assessment (MEA), the Deer Study (Taylor, 1993) and other environmental documents (Bagley, 1990) revealed that the likelihood the project site contains special status species is not great.

A review of the California Natural Diversity Database (CNDDB) showed no indication of rare or endangered animal species within the project vicinity; additional surveys onsite are not likely to yield additional information. The primary wildlife concern in the project vicinity is the migration corridor and habitat for the Round Valley deer herd. That concern was addressed by specific wildlife studies and by the sale of 100-acres of the project site to the California Department of Fish and Game for preservation as wildlife habitat.

Negative Impacts to Deer Herd Are Unacceptable.
The Deer Study concludes that, even with mitigation, the project would incur unavoidable significant impacts to the Round Valley deer herd. The DEIR misstated this conclusion by stating that potential impacts to the deer herd could be mitigated to a less-than-significant level. The FEIR has been modified to correct this misstatement; even with mitigation, the project would result in unavoidable, significant impacts to the Round Valley deer herd.

No Plan for Revegetation with Native Species.
Revegetation is largely the responsibility of individual property owners. It is not practical to provide a revegetation plan at this conceptual stage of development.

263 Hanby Ave.
Bishop, CA 93514
bobh@qnet.com

October 7, 2000

Keith Hartstrom, Senior Planner
Mono County Planning Department
P.O. Box 8
Bridgeport, CA 93517

Dear Mr. Hartstrom:

I was contacted last week by Mr. Will Crljenko and Mr. Steve Ingram regarding a proposed development in the Swall Meadows area of Mono County. The purpose of this letter is to provide you with comments on the Rimrock Ranch Draft Specific Plan/EIR, SCH #98092066. These comments pertain to the water resources section of Part IV - Environmental Analysis, Appendix B.3 (Hydrology Study), Monitoring and Mitigation Plan, and associated policies.

Natural Resource Conservation Policy 12, page 25-26; Monitoring and Mitigation Plan, page 81. This policy and the related mitigation described under Water Resources, A.1.c is apparently designed to provide protection to preexisting well owners and groundwater dependent natural resources in the event that the proposed pumping causes impacts that are unanticipated by the Hydrology Study. The mechanism by which this is supposed to be achieved is by observing drawdown in a monitoring well near the pumping well. This policy does not afford the desired protection for the following reasons:

1. The policy states that the trigger will be examined at only one point in time: one year after operation of well WCCSD no. 4 commences. Production from this well will likely increase over time as the proposed project and Pinion Estates reach buildout; therefore evaluation of the triggering criteria at one year may not fully assess the impact of WCCSD no. 4.

2. The measures proposed to be taken if the trigger threshold is exceeded provide no protection for the resources that the policy is designed to protect. Once well

WCCSD no. 4 is put into production as a sole source community service district well, it is unlikely that its operations would ever be curtailed by this policy or the mitigation plan described in the Monitoring and Mitigation Plan. The action proposed if the trigger is exceeded ("to update and enhance the evaluation in the Water Resources Assessment ... using additional data") is vague. Appendix B.3 identifies several specific data gaps, such as lack of well quantified hydraulic parameters, lack of knowledge of hydrologic barriers within the study area, lack of knowledge about study area boundary conditions, and inadequate characterization of the water balance for the study area. The one tangible result of the Hydrology Study is that the hydrology of the study area is poorly understood. It would be more prudent to address these questions prior to approving the project, rather than as a mitigation measure.

3. No specific mitigatory action is proposed in the Mitigation and Monitoring Program should the updated and enhanced evaluation reveal that the project is impacting preexisting wells or groundwater dependent natural resources.

Water use projections - Appendix B.3 Hydrology Study; Environmental Analysis, page 32. It is likely that the projected water use is an underestimate. Well WCCSD no. 4 is planned to be plumbed into the Pinion Ranch system, and will probably be used to provide water to the Pinion Ranch development, which has approximately 40 as yet undeveloped lots. It is foreseeable that the development of these lots will result in additional pumping from WCCSD no. 4 beyond that contemplated in this EIR; therefore the water use projected in the Hydrology Study and Environmental Analysis should be based on the cumulative impact of about 75 households rather than 35.

Additionally, the estimate of water use per household based on use by households in Pinion Ranch over the period 1994-1998 is likely an underestimate. As noted in Appendix B.3, water use increased over this period and the estimate of water use was based on 1998, the year of greatest water use. Given that the cause of the trend toward increasing use is unknown, it seems unfounded to assume that the trend will cease and water use will remain fixed at 1998 levels. 1998 was a year of very high precipitation, so if, as suggested in Appendix B.3, trends in water use at Pinion Ranch are related to landscape irrigation, it seems likely that water use continued its increasing trend in subsequent years.

Thus, two factors suggest that the estimate of water needs at buildout may be too low:

1. The number of households supplied by well WCCSD no. 4 may be underestimated.
2. The water use per household may be underestimated.

Analysis of water level data - Appendix B.3 Hydrology Study; Environmental Analysis, page 33. An analysis is presented in Appendix B.3 wherein multiple linear regression is used to assess water level trends over time (page 13). The analysis states that the period 1958 though 1999 was analyzed, which produced the tentative result that

water levels may be declining at a rate of 1.08 feet per year due to existing groundwater extraction. It seems unlikely that impacts due to groundwater uses would have remained constant over time. It is more probable that the rate of decline has increased over time as the number of residents and wells has increased. Thus, the type of analysis done in Appendix B.3 may underestimate the current rate of decline.

The statement made in the Environmental Analysis, page 33, that "A comparison of groundwater levels vs. Well bottom elevations shows that the higher the bottom elevation, the higher the groundwater elevation" is misleading. At many locations where there are two wells in close areal proximity, but screened at different depths (e.g., wells 60 and 61), the deeper well (i.e., the one with the lower well bottom elevation) has a lower water level

Appendix B.3 rightly notes that the data used in this analysis are noisy and ambiguous. Table 4 of Appendix B.3 shows examples of wells in close proximity with large differences in water level, suggesting that water levels have changed substantially over time, are subject to some other time-varying effect, or are subject to rather large vertical hydraulic gradients (e.g. wells 60 and 61, 1 and 2, 5 and 6, 69 and 70). This highlights the lack of understanding of the hydrology of this area.

Aquifer test - Appendix B.3, Hydrology Study. Appendix B.3 describes an aquifer test that was conducted to estimate hydrologic properties near well WCCSD no. 4. As noted in Appendix B.3, problems were encountered maintaining a constant pumping rate during the test. Despite this, the analysis presented in Appendix B.3 appears credible. The most dubious aspect of this test is that the monitoring well WCCSD no. 3 is about 15 feet from the pumping well. Thus, because of the close proximity of the pumping and monitoring wells, the parameter estimate applies to a very modest volume of aquifer material. Appendix B.3 states that the "Lowery Well", 250 feet from the pumping well, was also monitored, but no data or analysis were presented from this well. In as much as the goal of this test was to provide parameters for analyzing the effects of pumping on the whole Swall Meadows area, analysis and parameters from a more distant monitoring well such as the Lowery well would undoubtedly be preferable to the data and analysis presented in Appendix B.3.

The test results provided an estimate of storativity that was rather low, and, as noted in Appendix B.3, this implies that a given amount of groundwater extraction will result in relatively large drawdowns over relative large areas. This suggests that caution should be exercised in the approval of the proposed project.

Conceptual numerical model - Appendix B.3, Hydrology Study; Environmental Analysis, pages 33-34. Appendix B.3 presents a credible attempt at developing a reconnaissance level model of the Swall Meadows area; however it is clear that a lack of data hampered this effort.

Several aspects of the model are unclear. The geologic framework of the model is not described. The study area comprises a complex array of fractured granitic bedrock; glacial, alluvial, and colluvial deposits; and ash flow tuff, all riven by active faults. These various materials and structures control hydraulic conductivity and specific storage. The hydraulic conductivity field depicted in Figure 8 is remarkably homogeneous for an area of heterogeneous rock types and active faulting. The geologic thinking behind the model is should be more clearly stated. The numerical framework of the model is also not fully described. It is stated that the model consists of 200' by 200' cells, but there is no discussion of the thickness of the model domain, its discretization in the vertical dimension (one layer, I assume), and the effect of the study area's large topographic gradient on the numerical accuracy of a single layer finite difference model (I assume the USGS MODFLOW code was used here). Also, it is unclear how the model was calibrated or how successful the calibration was. Finally, the hydrologic framework is not completely described. Recharge and model inflow are mentioned quantitatively, but nowhere in the EIR is there presented a complete water budget for the study area.

The inflow to the model was evaluated as 20000 acre feet, which is in my opinion an unreasonably high volume of inflow. The authors are correct to point out that this results in an underestimate of impacts. The fact that calibration of the model resulted in an unreasonably high amount of inflow to the study area indicates that there is a fundamental lack of knowledge of the hydrology of the study area, and that the simple model presented in Appendix B.3 does not characterize the hydrology sufficiently to assess the impact of the proposed project.

It is stated that by assuming no hydrologic barriers exist within the active model domain, a "worst case scenario" was investigated. This raises two points. First, it is likely that hydrologic barriers do exist in the form of faults. Fault scarps are visible on the alluvial/colluvial cones in the western part of the model area, and the area is subject to frequent seismic activity. Second, the model that is presented as a worst case - that of a homogeneous system - is not really the worst case. Impacts could be greater and propagate further to the north from the well WCCSD no. 4 if the northerly striking faults that are visible on the cones below the Wheeler Crest segregate the aquifer in elongate blocks. In this case, the cone of depression would be elongated in a north south direction, because less water could be drawn across the faults and the deficit would be made up by propagation of drawdown to the north and south. This could cause drawdown to propagate farther than if the system were homogeneous.

In summary, I concur with the author of Appendix B.3, Hydrology Study, that "the most severe limitation of this analysis is the available data." A credible attempt was made to assess the impact of the proposed project on the water resources of the Swall Meadows area, but the limitations of the data available are apparent from the questions raised above regarding this EIR. I disagree that the potential for impacts is low. As

discussed above, the ultimate production from well WCCSD no. 4 is maybe higher than estimated in this document, the area may already be undergoing measurable impacts due to groundwater extraction, the hydrology of the area is poorly characterized, and the modeling effort undertaken for this document may have underestimated the impact of the proposed project. The mitigation and monitoring program proposed for the project affords the current residents and groundwater dependent natural resources of the Swall Meadows area no real protection. A far better approach would be to answer the outstanding questions about the water resources of the area prior to approval of the project.

Sincerely,

Robert F Harrington

Robert Harrington, PhD.

Response to # 44 from Robert Harrington dated October 7, 2000

Water Resources Impacts.
Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

WILLIAM J. CRLJENKO
1430 SWALL MEADOWS RD.
SWALL MEADOWS CA.

October 9,2000

Keith Hartstrom
Mono County Planning Department
P.O. Box 8
Bridgeport, Ca. 93517

Dear Mr. Hartstrom,

I am writing in reference to the Rimrock Ranch Draft EIR and specifically their water resource assessment. Although I believe John Wilson and the Rimrock Partners would not intentionally over draft the ground water in Swall Meadows, their assessment of the ground water resource appears inadequate. The report states that " the new Rimrock system will be fully integrated with the existing Pinyon Ranch system", but it does not estimate the amount of water allocated to that system nor does it include that water use figure in its "Annual Water Demand at Buildout (35 residences)= 5.15 Million gallons". This development in conjunction with Pinion Ranch (54 lots) will nearly double the population and associated water use of the Swall Meadows area. The report also states that "ground water levels have declined somewhat since 1958". The assessment states that due to limitations of the data available they recommend monitoring after the well goes on line. Does this mean that they don't really know how much ground water is actually available or how severely this development will impact the aquifer?

I believe that John Wilson has the right to develop his property and that his development will proceed. But I also believe that the existing water users need to be protected as well. A complete picture of our ground water resources will help accomplish this. Overdevelopment will not only hurt the existing community ,but future development as well. A complete Water Resource Assessment should be done prior to approval of the Rimrock EIR. To better understand the Rimrock water assessment Steve Ingram and I contracted the services of Bob Harrington who is a hydrologist for the Inyo County Water Department. His comments have been forwarded to your office by e-mail and you should also receive a copy by surface mail.

Yours truly,

William Crljenko

1430 Swall Meadows Rd. Swall Meadows Ca.93514

Response to # 45 from William Crljenko dated October 9, 2000

Water Resources Impacts.

Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

October 9, 2000

To: Mono County Planning Department
Attn: Keith Hartstrom
P. O. Box 8
Bridgeport, CA 93517

Fm: Lyle K. Gaston
94 Mountain View Ddrive
Swall Meadows
Bishop, CA 93514-9207

Re: Response to Rimrock Ranch Draft Specific Plan/EIR

Enclosed is my response to the Water Resource Assessment element in the Rimrock Ranch Draft Specific Plan and EIR. I ask that you consider all my comments and questions and address them in the final or a revised draft EIR.

Thank you,

Lyle K. Gaston

Lyle K. Gaston

Response to Rimrock Ranch Draft Specific Plan/EIR

Introduction

Adequate potable water is a world-wide problem which has generated vast amounts of protracted legal battles and in some instances armed conflict. In our own local area export of water to support unconstrained development and the attempt to make a tropical paradise out oa a desert has had serious effects on the local environment. The amount of water resource in Swall Meadows is unknown and not infinite. Before any future development occurs, it must be demonstrated quantitatively that there is enough water to provide long-term support for present and any future development. Development of Swall Meadows should be at such a level that it does not have to use surrounding area water. Living on imported water will ultimately lead to total disaster, i.e., total loss of water with corresponding total loss of property values.

The water use in Piñon Ranch development is approaching 0.5 ac ft of water/residence-year (0.45 ac ft/yr in 1998, Table 1, P -1, Water Resources Assessment, W.R.A.). Team Engineering (T. E.) estimates that recharge of the aquifer might be 91 ac ft/yr (P-15, W.R.A.) based on an annual rainfall of 10 inches on the 1089 acres of Swall Meadows and an infiltration (recharge) rate of 10%. There are about 177 residences/lots already occupied/sold (Hilltop I, II, Piñon Ranch, Rimrock phase 1 and 2, Sky Meadows). Using the data presented in Table 1, P-1 (W.R.A.), the 177 residences/sold lots would be expected to use 80 ac ft/yr leaving only 11 ac ft/yr for all additional developments. This corresponds to a total for all future development of 24 units at 0.45 ac ft/yr. Rimrock Phase 3, 4, 5 and 6 will add 35 new lots for an estimated overdraft of 5 ac ft/yr. If the recharge assumptions are not met in the future at build-out, then the Rimrock subdivision would result in total use of calculated recharge. In the absence of better data, the prudent course would be to at least scale back the present project to 4 or 6 ac actual per lot. Overdrafting of an aquifer cannot be permitted.

- 1. Please explain why build-out of present lots plus those proposed for Rimrock subdivision will not cause an over draft of the aquifer.

Another way of looking at the overdraft problem is to look at the lot size required to support the amount of water used on the lot versus the amount of recharge on the lot , Table 1. The recharge is estimated from P-15, W.R.A.; 10 in/yr total water on subject area and 10 % recharge for 1/12 ft of water /acre (0.083 ac ft/yr or 27,153 gal/yr on one acre of land). The figures in Table 1 show that a middle use, 350 gal/day, needs 4.70 acres for recharge to maintain the aquifer which is given as a requirement on P-7, § 4.0, 1.

Table 1. Area required for a water total of 10 in/yr (snow+rain) and a 10 % recharge at various water usage/residential user.

gal/day	gal/yr	ac ft/yr	area required, acres
250	91,250	0.28	3.36
350	127,750	0.39	4.70
450	164,250	0.50	6.05

- 2. Based on Table 1, why should not the lot size in Rimrock, phases 3, 4, 5 and 6 be at least 4 ac or 6 ac minimum net?

Aquifer Characteristics (P-3, Water Resources Assessment)

Aquifer test of WCCSD well No. 4 (T. E. No. 61, P-8, W.R.A) gives data for a monitoring well, WCCSD No 3 located ca 15 feet from the producing well. According to Fig. 4, P-11, W.R.A., the only well within 15 feet of WCCSD No. 4 is T. E. No. 60.

- 3. If this is indeed the case, why was it not specified in § 3.0, P-3, DEIR or in Fig. 3, P-5, W.R.A.? Note that the specifications given on P-6, W.R.A. correspond exactly to T. E. well No. 60.

If the monitoring well is T. E. well No. 60, then the initial data in 1973 shows a depth to ground water of 40 feet whereas at the start of aquifer test in 1999 the depth to ground water was 96 feet, P-6, W.R.A. This seems to indicated that the depth to water in T. E. No. 60 has decreased 56 feet in 26 years or about 2 ft/yr.

- 4. I would like an explanation of why this decrease in ground water level was not considered in the evaluation of the aquifer.

The complete data for source Well No. 4 is plotted in Fig 2 (P-4, W.R.A.) and for monitoring Well No. 3 in Fig 3 (P-5, W.R.A.). Both of these graphs are plotted on semi-log paper and according to the theory presented should be linear (P-4, last sentence above Fig. 2, and P-6, first sentence,W.R.A.). The data for source Well No. 4 is linear for the first 32 min, then it curves badly in the direction of increased drawndown with pumping time. This increase in drawdown was attributed to increased lift, however, the pumping rate, 95 gal/min, was maintained to 832 min. suggesting that the hydraulic conductivity is decreasing. The data for monitoring Well No. 3 is linear for the first thirteen (13) min and then curves badly in the direction of decreased drawdown with time. The change in slope occurs when the water level in the nearby pumping well reaches 150 ft below ground level which is the bottom of the well, Table 2.

- 5. What is the reason for increased drawdown in well No. 4 with time after 32 min?
- 6. What is the reason for the decreased drawdown in well No. 3 with time after 10 min?

Table 2. Drawdown in monitoring well No. 3 and source well No. 4.

	Depth to water - feet	
Time - min.	No. 3	No. 4
0	96	95
1	98	109
10	108	132
32	112	150 (bottom of monitoring well No. 3)
100	114	166
832	117	250

The drawdown vs. time in the monitoring well is used to calculate the aquifer transmissivity and storativity. I don't understand the application of Jacob-Cooper method on P-6, W.R.A. Transmissivity is calculated using the slope of the curve from 1 min to 13 min to determine Δs for 1 ln cycle (not 1 log cycle as given under the equation). This gives a transmissivity of 5225 gpd/ft. The report says to calculate hydraulic conductivity by dividing the transmissivity, 5225 gpd/ft, by the aquifer thickness, 260 ft giving an hydraulic conductivity of 2.69 ft/day. My calculator keeps coming up with 20.1 ft/day. This value is critical because it is used in the aquifer model, Fig. 8, P-15, W.R.A. Next the storativity of the aquifer is calculated from Fig. 3, W.R.A., using a transmissivity of 5225 gpd/ft and t_o=0.001 min. to give $2.72e^{-6}$ (0.0068 ft^3 water/ft^3 aquifer).

- 7. Since the modeling is largely base on the hydraulic conductivity determined by the pumping test, this data and its interpretation is critical to the evaluation of the water resource , I ask for a full and detailed discussion of this subject in the final EIR.
- 8. Why is the analytical method used to analyze the drawdown valid when both graphs are composed of two straight lines?
- 9. Why is the transmissivity of the curve in Fig. 3, 1 min. to 13 min., 5225 gpd/ft, used with the y_o intercept for the curve from 32 min. to 2000 min., 0.001 min. (actually 0.0003 min.) in calculating the storativity of the aquifer?
- 10. The units on t_o is given as days; why was the storativity calculated using minutes?

The Δs for the first 13 min. is 4.8 ft/ 1 ln cycle which gives T=5225 gpd/ft. The y_o intercept for this part of the curve is 0.66 min. or 0.00046 day. The storativity then is (0.3) (5225) (0.00046) ÷ 15^2 = 0.0032 ft^3 water/ft^3 aquifer. This compares with the stated storativity of $2.72\ e^{-6}$ = 0.0068 which was admitted to be very low. Even for an aquifer of 9.4 mi^2 and 260 ft. deep, from lower Piñon to Wheeler Crest to Whisky Canyon to Lower Rock Creek, it contains only 4900 ac ft of water. The actual Swall Meadows aquifer is probably on 1/3 this size and not nearly as deep.

Where is the data for the recovery of wells Nos. 3 and 4 and the "Lowry Well"?

Section 3.0, P-3, W.R.A., indicates that a second well, "Lowry well", located ca 250 feet from WCCSD No. 4 was monitored during the aquifer test.

- 11. What is Team Engineering's well No. for "Lowry well" (No. 62 or 63, Fig. 4, P-11, W.R.A.)? What were the parameters for "Lowry well", i.e., date of construction, surface elevation, depth to water at establishment, well depth, etc.?
- 12. What was the depth to water at the start of the aquifer test?
- 13. What was the drawdown vs. time (i.e., a companion graph to Fig. 3, P-5, W.R.A.)?
- 14. What was the recovery curve for both Well Nos. 60 and 61 and "Lowry well" after pumping stopped?

A lot of effort was put into trying to determine statistically whether ground water levels have gone down since the 1960's due to residential development. Figure 6, P-13, W.R.A., gives a plot of groundwater elevation vs. year of establishment. The data was taken from Table 4, P-9, 10, W.R.A. and analyzed to answer the question of whether there has been drawdown in existing wells since they were first drilled. Figure 6 contains 46 points, but there are nine (9) points in Table 4 that are not in Fig. 6 (T.E. Nos. 60, 61, 62, 63,64, 65, 68, 69, 70). All of these missing points are below groundwater elevation of 6365 ft and six (6) of the points are 1985 or later. Two other wells are missing from Fig. 5 and 6, P-12, 13, W.R.A.; wells No. 70, 71, that are presently supplying water to Piñon Ranch. Three points (T.E. Nos. 16,18, 21) are either mis-located on the map, 200 feet above their location, or have incorrect elevations, 200 feet below the recorded values. Figure 6 also contains seven (7) points for artesian wells (T. E. Nos. 15, 16, 29, 30, 31, 53, 54. Inclusion of these wells has the effect of having 7 data points in which the water level is constant with time. One other well does not exist, well No. 40 on my property. Curiously the water level went up by 23 ft between 1962 and 1990. In actual fact the water level was at 38 ft in 1994, down 11 ft from 1962. The data for well No. 39 is correct as to surface elevation and well depth.

- 15. What is the cumulative effect of adding the above missing 9 points, adding in and discussing the 2 WCCSD wells, correcting the 3 misplaced wells, deleting the 7 artesian wells and well No. 40?

There are 3 paired comparison wells that can be used to validate the statistical analysis, Table 3. The first three entries are for co-located wells; the last three entries are for wells at ca the same surface elevation but separated by the indicated distance. The second entry, well No. 63, 62, must have some bad data and should be discarded. Well Nos. 13 and 11 are located in or near a major drainage from Wheeler Crest and may have better recharge. The other four entries have ca 2 ft/yr drop in water level which is consistent with the maximum decline of 2.39 ft/yr calculated on P-13, W.R.A. and a range or 1-40 ft decline in ground water, P-20, W.R.A. The development has been gradual over the last 25-30 yr. with most of the use being in the last 10-15 yr. Certainly a decline in groundwater elevation of 2 ft/yr is within the calculations.

Table 3. Water levels of paired comparison of co-located wells vs. time and water levels in ca same surface elevation wells separated by various distances vs. time. Well No. 1, 2 is located at the highest elevation of Hilltop Estates II (surface elevation 7000 ft), above the upper part of Mountain View Drive. Well Nos. 7 and 5 are located ca 250 ft lower (surface elevation ca 6750 ft) than well No. 1 and 2. Well Nos. 13 and 11 are located in a major drainage from Wheeler Crest at 6705 ft. Well Nos. 60, 61, 62 and 63 are located near the upper part of Rimrock at ca 6388 ft.

Well No.	elev. ft.	Depth to water	year	Depth to water	year	ft/yr
1, 2	7000	31	1964	70	1982	2.2
63, 62	6367	55	1990	225	1994	42??
60	6405	40	1973	96	1999	2.2
60, 61 (15 ft)	6400	40	1973	95	1999	2.1
13,11 (200 ft)	6705	30	1964	46	1995	0.5
7, 5 (500 ft)	6750	30	1972	75	1995	2.0

- 16. Why was the maximum rate of decline of ca 2 ft/yr rejected in light of actual data?

The calculated subsurface inflow of water from the north and west was given as 20,000 ac ft/yr and the subsurface outflow to the southwest (sic) (southeast ?) was given as 20,000 ac ft/yr (P-17, W.R.A.). When the subsurface inflow of water was reduced to 5000-6000 ac ft/yr, the hydraulic conductivity had to be reduced to an unreasonable level to maintain reasonable ground water levels (P-18, W.R.A.). It was also noted that inflow of 20,000 ac ft/yr appears high and has the effect of reducing the drawdown caused by pumping (P-18, W.R.A.). There appears to be two ways of interpreting "subsurface inflow and outflow". The first one is that the aquifer has a source of annually renewable water that flows through it at the rate of 20,000 ac ft/yr. The second one is that the aquifer contains 20,000 ac ft of fossil water and pumping 100 ac ft/yr does not change the volume of water in the aquifer.

For the first scenario, the horizontal surface area of the land in the drainage above Swall Meadows is taken to be ca 9.4 mi^2. If this drainage area above the Swall Meadows is to supply 20,000 ac ft of water every year, then the rainfall would have to be 3.3 ft or 39 inches, with 100% recharge to groundwater. At 10% recharge this means that the area would have to receive ca 390 ft. of snow every year. The most snow in Swall Meadows in the last 31 years was ca 10 ft cumulative in 1969 at the 6800 ft level. In more recent times in 1992 there was ca 6 ft cumulative snow.

- 17. For the first scenario, what is the source of the 20,000 ac ft/yr of water; snow, rain, other?
- 18. Would a redetermined hydraulic conductivity, << 1, (see above) solve the problem of "to maintain groundwater levels that were considered reasonable" (P-18, W.R.A.)?

The second possible explanation is that aquifer underlying Swall Meadows contains 20,000 ac ft of water left over from Pleistocene times.

- 19. What evidence is there that the aquifer water is fossil?
- 20. Has the water been dated?

If the aquifer is fossil, then use should be limited to ca 75% of the estimated present day recharge rate of 91 ac ft/yr to allow for protracted dry spells or a small over-estimate of the percent recharge of rain. Fossil water should never be used.

The thickness of the aquifer was determined to be 260 ft at T. E.Well No. 61, supply well No. 4, in 1999 and used to determine hydraulic conductivity. Other wells drilled in the 1990s to assumed bedrock, well nos. 3, 5, 62, 69 and 70, had depth of aquifer ranging from 122 ft to 200 ft, average 166 ft, only well No. 61 was outside this range.

The storativity is given as "low" which means that there is little space between soil partilces in the aquifer for water storage, therefor transport through the aquifer is controlled largely by diffusion. Many references are made to the absolute need for 20,000 ac ft/yr to flow through the aquifer to justify no drawdown in the aquifer, P-17, 18, 21, W.R.A. This high flow (7.7 in/min through an aquifer 3400 ft long x 260 ft thick) requires that the permeability of the aquifer be high (advection transfer), i.e., the space between the soil particles must be large.

- 21. Explain how low storativity and high permeability can occur in the same aquifer?
- 22. What is the controlling parameter in this aquifer, diffusion or advection?

An attempt was made to determine pre-developments conditions for the steady state groundwater elevation under conditions of no pumping from any of the wells, §5.4, P-16, 17, Figure 9, W.R.A. The output of the "model" was plotted as groundwater elevation contours for all of Swall Meadows. The second bullet on P-17, W.R.A. concludes that "the general (within 20 to 100 feet) match between groundwater elevations with actual groundwater elevations" gives an estimate of 20,000 ac ft/yr of water through the aquifer.

- 23. What model was used?
- 24. What were the inputs for this model?

The real test for the validity of a model is to compare actual data with that generated by the model. Data taken from Table 4, P-9, 10, W.R.A., and from pre-development groundwater elevations taken from Figure 9, W.R.A.,was used to assess the validity of the "model". The data are tabulated in Table 4.

Table 4. Groundwater elevation in the 1960's, ca pre-development, compared to that calculated by the model given in Fig. 9, P-16, W.R.A.

T. E. Well No.	Date Established	Original Water Elevation, ft.	Calculated Water Elevation, ft.	Original - Calculated ft.
1	1964	6969	6650	319
7	1965	6717	6515	202
9	1966	6650	6500	150
13	1964	6660	6480	180
15	1968	6642	6450	192
23	1965	6583	6420	163
24	1962	6570	6415	155
25	1964	6525	6405	120
28	1958	6560	6420	140
33	1962	6514	6370	144
34	1964	6544	6385	159
37	1968	6523	6375	148
38	1964	6516	6365	151
39	1962	6498	6345	153
41	1962	6490	6335	155
47	1964	6516	6335	181
49	1962	6482	6325	157
53	1965	6447	6310	137
54	1962	6437	6295	142
55	1965	6414	6280	134
58	1962	6290	6270	20
59	1962	6331	6270	61
68	1962	6235	6230	5

Data from T. E. well Nos. 16, 18, 21 and 22 were omitted because of non-correspondence between surface elevation, Table 4, P-9, W.R.A., and location, Fig. 4, P-11, W.R.A. T.E. well Nos. 1, 58, 59 and 68 are excluded as being outliers. Well No. 1 is at the highest part of Swall Meadows; well Nos. 58 and 59 are in a major wash; well No. 68 is on the edge of the wash in Bishop Tuff. For validation of the model, the "pre-development" time was taken as the period up to 1970. Very little development took place in Swall Meadows before 1970, so groundwater elevations in this time period can be considered pre-development. Nineteen of the 23 wells drilled before 1970 have groundwater elevations calculated from the model ranging from 120 - 202 ft below that actually measured at time of establishment, mean $\pm \sigma$ of 156 ± 20 ft. Since the model does not predict pre-development groundwater elevation with any confidence, either the model is not appropriate for this aquifer and/or the input data is faulty. This means the conclusions

regarding single well drawdown from Figures 11 and 12 have no basis to support them.

- 25. What is the explanation for the model predicted pre-development groundwater levels being so far different from measured ca pre-development groundwater levels?

Monitoring and Mitigation

WCCSD well No. 4 will be tied into WCCSD well Nos. 1 and 2 and all three will supply both Piñon Ranch and Rimrock. If the present use is causing a decrease in groundwater level of ca 2 ft/yr, the any decrease in groundwater level in trigger well No. 3 indicates an overdraft of the aquifer. Overdrafts should not be permitted, P-7, No. 1, W.R.A.

- 26. How can a model that cannot predict its first level of output be used to predict outputs based on the first level?

Consider the situation where all 35 lots in Rimrock are sold before any construction takes place. What happens after construction does take place, and the groundwater level in trigger well declines 5 ft in one year; will there be in the Common Interest Sub-division articles or in C, C, & Rs a clause authorizing water rationing in both Piñon Ranch and Rimrock to mitigate the drawdown of the aquifer?

- 27. What are the specific mitigations measures mandated if the water level in the trigger well does drop any amount?

Conclusions

The W.R.A. does not present any creditable data analyses to support their conclusion that Rimrock phases 3, 4, 5 and 6 (Fig. 3, DEIR) will not overdraft the Swall Meadows aquifer (▸ 1, 2, 15). Data analyses left a lot to be desired (▸ 4, 9, 11, 12, 13, 14, 15, 16), i.e., selectively using only part of the data or ignoring some of the data. In fact every time the analysis showed a decrease in aquifer water level (▸ 4, 16, 17, 21) it discounted the conclusions by making unsubstantiated and illogical assumptions to bring the aquifer back into a steady state (▸ 17). The conclusion that the project will have no significant impacts on the area are not supported by the data and data analyses (▸ 25, 26).

I ask for all the above bulleted questions be answered.
I ask for a re-issue of the draft EIR for response to the questions asked.
I ask for a consideration of rezoning of undeveloped Swall Meadows to be at least 4 ac parcels or better 6 ac parcels except where other constraints demand larger parcels.

Lyle K. Gaston
94 Mountain View Drive
Swall Meadows
Bishop, CA 93514-9207
760-387-2634 (TAM)
760-387-2004 (FAX)
e-mail: LFOSTER@QNET.COM

Response to # 46 from Lyle K. Gaston dated October 9, 2000

Water Resources Impacts.

Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

Subject: Rimrock Ranch EIR-attn Keith Hartstrom
Date: Mon, 9 Oct 2000 09:56:33 -0700
From: "Steve Peterson" <lspet@telis.org>
To: <northmono@qnet.com>

Keith Hartstrom,

Attached are my comments on the Rimrock EIR. I will also post a hard copy tomorrow.

Thanks,
Steve Peterson
760-387 2646

Rimrock EIR.doc	**Name:** Rimrock EIR.doc **Type:** WINWORD File (application/msword) **Encoding:** base64 **Description:** Rimrock EIR.doc (Microsoft Word Document)

To: Mono County Planning Department
Subject: Rimrock Ranch Draft EIR concerns

1. The Water Resource Assessment was incomplete and inadequate considering the potential impact of this project, both to the environment and existing developments in greater Swall Meadows.

   A. Only two wells were monitored, both within 15 feet of each other, essentially one well. Another well was mentioned but no data was reported and no explanation given for the omission.
   B. No recovery rates given.
   C. It was assumed that there is only one aquifer but the potentially more drastic responses to pumping if this assumption is incorrect would seem to require a more detailed study. Even if there is only one aquifer, the topography of the area is such that the impact at the "upper" end, e.g. Hilltop Estates, of this level of pumping at the "lower" end should be addressed.
   D. A Table showing well data (primarily Hilltop Estates) at the time of drilling is given but there is no follow up as to the condition of these wells at the present time.
   E. The estimate of 5.15 million gallons per year is questionable on several points. It takes into account the increase in usage over the past five years but doesn't address the distinct possibility that usage may continue to increase. Furthermore, it completely ignores the fact that THIS WELL IS INTENDED TO SUPPLEMENT THE WATER SUPPLY FOR PINYON RANCH IN ADDITION TO RIMPOCK.
   F. The estimate should at minimum include the unoccupied lots in Pinyon and should also address the fact that Hilltop Estates has not been completely "built out".
   G. The plan for monitoring the effects of pumping from this well is vague and there is no plan at all for mitigation should severe drawdown occur. Would they stop supplying water to people?

H. There is no plan for monitoring vegetation in the adjoining wetlands, nor is there a mitigation plan if damage should be noted. And a five foot drop in Well WCCSD#3 would certainly be accompanied by wetland damage.

2. Impact on Mule Deer

The EIR states "potential impacts are mitigated to a less than significant level". However the Rimrock Ranch Specific Plan Deer Study, Final Report by Tim Taylor (and included in the EIR) says the development "could cause a significant environmental effect which could be mitigated, but not to less than significant levels".

In conclusion it would seem that there are more than enough inconsistencies and unanswered question to require further study and a more complete EIR before this development is allowed to proceed.

Thank You,
Steve Peterson
788 Mountain View Drive
Swall Meadows

Response to # 47 from Steve Peterson dated October 9, 2000

Water Resources Impacts.
Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

Deer Study Conclusion That Project Cannot Be Mitigated to Less-than-significant level.
The Deer Study concludes that, even with mitigation, the project would incur unavoidable significant impacts to the Round Valley deer herd. The DEIR misstated this conclusion by stating that potential impacts to the deer herd could be mitigated to a less-than-significant level. The FEIR has been modified to correct this misstatement; even with mitigation, the project would result in unavoidable, significant impacts to the Round Valley deer herd.

To Mono County Planning Dept Regarding Rimrock EIR

Comments and Concerns:

1) The EIR does not properly address the significant interference with views especially from the Western portion of Piñon ranch I disagree that even with mitigation measures that the views will be minimally impacted. Figure 14 is not an accurate photo of the project view site from the majority section of the Western part of Piñon ranch. This issue, I feel, should be readdressed.

2) The Building Department recognizes Wheeler Crest as the design review board for the Rimrock development. Even though Rimrock may have their own building requirements, lot owners can build according to Wheeler Crest Design Review criteria. This negates the mitigation measures Rimrock has proposed and significant interference with views may occur with the increased heights of buildings. This issue needs to be addressed before final approval.

3) What is the effect on others privately owned wells & the aquifer if demand for water exceeds averages? Was Piñon ranch homes included in the expected water usage?

Sincerely
Cheryl Wilson
Cheryl Wilson

160 Rimrock Dr. Swall Meadows, CA 93514

Response to # 48 from Cheryl Wilson dated October 9, 2000

Visual Impacts.
This comment disagrees with conclusions in the EIR that impacts to visual resources will be less than significant with mitigation, particularly from the western portion of Pinon Ranch. While the project would be visible from the western portion of Pinon Ranch, and views in the immediate foreground would be changed by the proposed development, visual impacts would be minimized by Specific Plan requirements for large lot sizes (Specific Plan Land Use Policy 2) and site development requirements which establish large setbacks, limit the amount of site disturbance (Specific Plan Land Use Policy 4), and require landscaping and revegetation with native indigenous species (Specific Plan Design Guidelines Policies 9 and 10).

Compliance with Wheeler Crest Design Review District Standards.
Design Guidelines Policy 5 in the Rimrock Ranch Specific Plan, and the project's C.C.& R's, state that architectural plans for any structure must by reviewed and approved by the Wheeler Crest Design Review District prior to approval of the building permit.

Water Resources Impacts.
Comments pertaining to water resource issues are addressed in the Water Resource Assessment responses in Appendix A. In addition, a second engineering firm has reviewed the Water Resource Assessment and provided additional input regarding water resource issues, which is also contained in Appendix A.

III. REFERENCES

Report Preparation
Larry Johnston, Mono County Senior Planner
Laurie Mitchel, Consultant

Documents Consulted

Bagley, Mark. **Botanical Survey of Proposed Route for Contel of California Fiber Optics Cable from Mammoth Lakes to Bishop, Mono and Inyo Counties, California.** 1990.

Bauer Environmental Services. **Sierra Business Park Specific Plan and Final EIR.** 2000.

Ingles, L.G.. **Mammals of the Pacific States.** Stanford University Press. 1968.

Mitchel, Laurie. **Lakeridge Ranch Estates Specific Plan and Environmental Impact Report.** 1995.

Correspondence

Feay, Douglas E., Associate Engineering Geologist, Lahontan Regional Water Quality Control Board, to Dennis Lampson, Mono County Environmental Health Department, dated February 3, 2000, re: approval of proposed engineered (pressure dosed sand bed) sewage systems for Rimrock Ranch.

Laverty, Dave, Triad/Holmes Associates, to Larry Johnston, Mono County Planning Department, dated October 12, 2000, re: comment letter from DFG/Darrell Wong.

Laverty, Dave, Triad/Holmes Associates, to Michele Ochs, Lahontan Regional Water Quality Control Board, dated October 27, 2000, re: comment letter from LRWQCB/Michele Ochs.

Websites Consulted

California Department of Fish and Game, California Wildlife Habitat Relationships (CHWR) and California Natural Diversity Database (CNDDB)
www.dfg.ca.gov

Persons Consulted

Simon, Stacey. Deputy Mono County Counsel.

Taylor, Tim. Wildlife Biologist.

APPENDIX A WATER RESOURCE ASSESSMENT RESPONSES

TEAM Engineering Responses

Kleinfelder, Incorporated Responses

TEAM ENGINEERING &
MANAGEMENT, INC.

P.O. Box 51447 Phoenix, AZ 85076
480-496-4990 (phone)
480-496-6114 (fax)

The following are individual responses to comment letters on issues related to the Water Resources Study. Bill Hutchison of TEAM Engineering & Management, Inc. developed these responses.

Haber: No related comments

Oakeshott: Policy 16e - Language in Policy 16e regarding "after the project is fully developed" is inconsistent with TEAM's recommendation. TEAM's recommendation was simply after one year of operation. The "fully developed" language could delay the monitoring and mitigation program for several years. The intent of the recommendation was to provide an early warning system. Surely, if the drawdown in WCCSD No. 3 dropped more than the five feet after one year of operation prior to buildout, it would provide an opportunity to evaluate the collected data prior to full buildout.

Policy 16 should be revised as follows:

Policy 16: The following mitigation and monitoring program shall be implemented to ensure that possible impacts to the groundwater resource in the surrounding area that are measurable and attributable to the operation of Wheeler Crest Community Service District (WCCSD) Well No. 4 are avoided. This mitigation and monitoring program is taken from the Water Resource Assessment, Rimrock Ranch Specific Plan, 1999.

a. With developer funding, the WCCSD shall take quarterly water level (static) readings in each of its wells. If permission can be obtained and access to the well is reasonable, the groundwater level in all other wells in the area should be measured annually. These data shall be maintained by the WCCSD with copies forwarded annually to the Mono County Health Department.

b. With developer funding, the WCSSD shall develop estimates of the elevation of the measuring point of each well where data are collected. This information should be developed within 5 years from the initiation of operation of WCCSD No. 4 and collection of depth to water data. This will ensure that future analyses are based on accurate estimates of groundwater elevation as well as depth to water.

c. Pumping amounts shall be recorded monthly in WCCSD wells and reported annually to Mono County. The number of service connections shall be accurately recorded and included in the reporting forms. Pumping amounts from domestic wells may be estimated, if necessary, in the future, based on these data.

d. Because the potential for impact is considered low, pumping rotation or pumping limitations are not required as part of this mitigation and monitoring program, unless the monitoring threshold is reached as described below.

e. WCCSD No. 3 shall be used as a monitoring well and shall act as a "trigger" well. The "trigger" shall be based on a water level decline more severe than the predicted decline under the worst case scenario presented in the Water Resource Assessment, Rimrock Ranch Specific Plan, 1999, i.e.: if the water level in WCCSD No. 3 drops more than five (5) feet after one (1) year of operation of WCCSD No. 4, or drops more than five (5) feet from the initial baseline

elevation based on the annual monitoring after the project is fully developed, all collected data shall be analyzed to evaluate the potential for impact to other wells. The objective of the evaluation would be to update and enhance the evaluation in the Water Resource Assessment, Rimrock Ranch Specific Plan, 1999, using the additional data. Once these data have been updated and analyzed, the Planning Commission may use the information to implement pumping limitations, water conservation measures, moratoriums on lot development, or other similar action to prevent impacts to environmental resources and existing well owners.

This "trigger" is designed as an early warning system. The Water Resource Assessment notes that "... even if this drawdown [more than 5 feet in 1 year] occurred in a well less than 20 feet away from the pumping well after one year, it is highly unlikely that any significant impacts would be realized in other wells located further away after one year" (Team Engineering, p. 22).

Vaughn: Unfortunately, all studies of an area's groundwater hydrology are "limited" by assumptions and data gaps. Any conclusions reached generally contain uncertainties and monitoring and mitigation programs are implemented in order to confirm the conclusions. The triggering mechanisms are put into place, and should be enforceable in the event that predictions are wrong and impacts are imminent. In the present case, the use of a nearby well as a monitoring point and identification of a trigger that would be used immediately on start-up of the well provides time to analyze data that would be collected in the first year of operation and adjust conditions if necessary.

State Clearinghouse (2 letters): No related comments

Hinrichs: The 20,000 AFY of inflow was estimated based on a numerical model of the area that relied on two basic assumptions: the aquifer test results were reliable and could be used over a wide area, and no hydrogeologic barriers exist between WCCSD No.4 and the Hilltop Estates area. The report stated that the 20,000 AFY estimate appeared high and the analysis of impacts of WCCSD No. 4 did not rely on the model for that reason.

Wheeler Crest FPD: No related comments

Haber: No related comments

Campenelli: WCCSD No. 3 was chosen as a trigger due to its proximity to WCCSD No. 4, it accessibility, and the fact that it will not be used as a pumping well. If additional wells could be added to the monitoring program that meets these criteria, they could be added. The observed declines in groundwater levels that have been observed have been significant for well owners who have had to deepen their wells.

Lamb: No related comments.

Ingram: No related comments.

Gaston: No related comments

Dutcher: No related comments

Kalish: Water use data were obtained from Triad-Holmes and reflected recent water usage. It is not possible to speculate as to the type of landscaping changes that may occur or speculate as to the use of the

homes (primary or secondary residence). The use of the 1998 data seems reasonable and, given the trend of upward water usage, appropriate.

Schroeder: No related comments

Bacon: No related comments

Cashore: Monitoring is a requirement and covered by Policy 16e.

Kleinfelder: First bullet - Due to data gaps and limitations, a monitoring program is warranted and necessary.

Second bullet - It is common to use privately owned wells in such monitoring programs. Property owners grant permission in order to gain a better understanding of the groundwater system and all data are made available. The only other alternative is for the responsible agency to construct dedicated monitoring wells. The existence of more than one subsurface hydrogeologic unit/aquifer is possible, but the data available for this investigation did not reveal that as an obvious conclusion.

Third bullet - The monitoring of WCCSD No. 3 would not take place during the pumping of WCCSD No. 4, but under static conditions.

Fourth bullet - The existence of more than one aquifer is not apparent with the data that were made available for this study. It is unreasonable to assume more than one aquifer exists without data.

Fifth bullet - Reducing monitoring frequency from quarterly to semi-annual is not recommended.

WCCSD: Number 1 - The 20,000 AFY estimate of inflow is considered high and was not used in impact analysis. Therefore, the statement in the comment that the pumping is a small percentage of the inflow is irrelevant, and the assertion that a monitoring program is not needed is not consistent with the limitations of the analysis.

Number 2 - It is interesting to note that this comment is attributed to "the directors", one of which is Brian Cashore, and the directors do not believe it is reasonable that monitoring be required. Mr. Cashore also submitted an individual letter that asks for comprehensive monitoring. As to the need for monitoring, the monitoring method and data collected would identify general trends and specific monitoring of WCCSD No. 3 would provide the necessary link as to the impact of WCCSD No. 4.

Number 3 - Beyond the scope of the hydrology study to respond to this comment.

Number 4 - Beyond the scope of the hydrology study to respond to this comment.

Number 5 - This step is needed to estimate groundwater elevations, which are needed to better understand groundwater flow direction details.

Number 6 - These wells should be fitted with such devices

Number 7 - Comment noted

Walter: Unfortunately, all studies of an area's groundwater hydrology are "limited" by assumptions and data gaps. Any conclusions reached generally contain uncertainties and monitoring and mitigation programs are implemented in order to confirm the conclusions.

Goodman: No related comments

California DFG: No related comments

California RWQCB: No related comments

Bauer: No related comments

Atlee: The proposed well for the project is identified and the potential impacts of operating that well on the surrounding area are analyzed. Due to the uncertainties and data gaps that exist, a monitoring program and associated triggers are identified.

Perry: No related comments

McAfee: The lack of comprehensive data is noted in the report. The monitoring program and trigger on WCCSD No. 3 is a means to close those data gaps.

Bacon: The inflow estimate (20,000 AFY) was cited in the report as being too high and was not used as the basis for any impact analysis.

Miller: No related comments

Siceloff: In general, when data are not complete, the available data are analyzed, conclusions reached, and the limitations and uncertainties are reflected in the monitoring and mitigation program.

Carson and Steele: The test was conducted by Triad-Holmes. We are unaware of the details of which wells would be monitored. The 1998 data were the most recent made available for this investigation.

Haber: No related comments

O'Dell: The data provided to us are consistent with the issue raised in the comment. The well was deepened in 1995, so there are records of two "wells" on the same lot, each with a different groundwater level. The production data were less important in the analysis than the groundwater level measurement. In terms of analyzing impacts, a lowered groundwater elevation is easier to measure and is a more valid example of an impact than a production rate which, as the comment notes, is subject to changes based on the size and condition of the installed pumping equipment.

Broberg: The analysis shows that the potential for impacts to water resources are low. However, due to data gaps and the limitations in the analysis, a monitoring and mitigation program has been incorporated into the EIR.

Ferrel-Ingram: The Lowry well showed no response to the pumping during the test, and therefore was not used in the analysis.

Triad-Holmes conducted the test and did not monitor recovery so there were no data to analyze.

Because of the limited number of monitoring wells, the precise size and shape of the cone of depression cannot be evaluated. However, the aquifer parameters estimated from the test provide a means to estimate the drawdown at various distances and times (Figure 11 of WRA).

Dutcher: The inflow estimate of 20,000 AFY was considered too high in the WRA and the numerical model was therefore not used in the impact analysis.

Ingram: Unfortunately, all studies of an area's groundwater hydrology are "limited" by assumptions and data gaps. Any conclusions reached generally contain uncertainties and monitoring and mitigation programs are implemented in order to confirm the conclusions.

The highest water use figures were used. Indeed, the highest figures reflect a per residence use of over 400 gallons per day which is considered a reasonable per residence estimate.

The fact that only one observation well was used and its distance from the pumped well is 15 feet does not make the test "inadequate", but only serves as a limitation to the results. These limitations are recognized in the WRA, and are dealt with in the context of requiring monitoring and triggers. The Lowry well was monitored and showed no response to pumping and therefore could not be analyzed.

The general trend of declining groundwater levels was discussed. The accuracy and dependability of the pumping rates is unknown. Typically, these are taken from well log forms and are completed by the drilling contractor and are dependent on the installed pump and do not generally reflect the true maximum capacity of the well. The pumping rate data were provided for completeness and were not used in the analysis due to their subjectivity. In general, these records were useful to identify a possible trend in the groundwater elevation changes with time.

The two wells on Lot 12 do show a marked difference in groundwater elevation. However, the early well is 102 feet deep and the later well is 214 feet deep. It is not possible to conclude with certainty whether this difference in groundwater elevation is due to general groundwater elevation declines with time; deeper wells have lower groundwater elevations, or a combination of the two. The numerical model was designed to help address this issue, but data limitations prevented its successful calibration and it was ultimately not useful for this purpose. Impacts were therefore evaluated using analytical techniques using the results of the aquifer test and conservative assumptions with regard to the potential limits of the impact area.

The low storativity value comment is noted and the language of this comment appears to be a restatement of the text in the WRA.

The numerical model was developed using the USGS code MODFLOW, a finite-difference code that is well known and used extensively in groundwater investigations throughout the world. The model is not calibrated as pointed out in the WRA, and the results were not used in the impact analysis.

If a barrier existed, it would likely be located in such a manner to "create" the wetlands. In other words, water from the Hilltop Estates area would flow downhill, encounter this presumed barrier, which would act as a dam, and cause groundwater levels to rise up under the wetland area. WCCSD No. 4 is located below the wetland area, and if the barrier existed, any drawdown cone would have to cross this barrier. Therefore, assuming that a barrier does not exist is the most conservative assumption and would tend to overestimate the drawdown in the wetland area and the Hilltop Estates area due to the pumping of WCCSD No. 4. No data exist to confirm the existence or absence of such a barrier. In such cases, it is generally acceptable to assume "worst-case" conditions and complete the analysis recognizing that such an assumption was made.

The approach used assumed a constant pumping rate equal to the annual water use to identify long-term drawdown that is attributable to WCCSD No. 4. If the pumping rate was doubled, the drawdown one mile away after one year is estimated to be 4.36 feet.

The model is not a reliable tool and was not used in impact evaluation. Most of these comments are restating the WRA text.

McAfee: No related comments

Clark: No related comments

Arnold: The actual impact analysis (drawdown estimates) assumes no inflow from any source.

The water usage estimates represent over 400 gallons per residence per day, which appear reasonable.

The lack of a recovery test, while not desirable, is not a fatal flaw of the test.

The assumption of no barriers in the drawdown analysis is actually a conservative assumption with respect to potential impacts to the wetlands and to the Hilltop Estates area.

CNPS: No related comments

Vaughn: The shift of homes from secondary to primary residence is a reasonable explanation of the increase in water use. We would have been speculating if we had made that assumption. We thank the commenter for that insight.

Oakeshott: The shift of homes from secondary to primary residence is a reasonable explanation of the increase in water use. We would have been speculating if we had made that assumption. We thank the commenter for that insight.

The 884 gallons per day per residence is the peak month usage. We focused mainly on the annual water use estimates.

The Lowry well showed no response to pumping and therefore aquifer parameter estimates are not possible from the test using that well.

McMullen: No related comments

Morgan: No related comments

Harrington: In general, these comments focus on what is already stated in the WRA - there is a general lack of understanding of the hydrology of the area. The objective of this WRA was to take the existing information and data and identify potential impacts. To the extent that data gaps and limitations in the analyses exist, monitoring and mitigation measures were identified. Responses to specific comments follow:

It is also likely that deeper wells could have a lower groundwater elevation and that the "decline" is partially due to the observation that more recent wells are deeper than the older wells. It is most likely that the observed decline is a combination of the two factors.

The Lowry well would have indeed been a better observation well to use in estimating the aquifer parameters. However, during the test, the well showed no response to the pumping.

The numerical model was developed using MODFLOW. A one-layer conceptualization was used. Calibration was unsuccessful, and the resulting estimate of inflow was too high. We agree with the comment that the model does not characterize the hydrology sufficiently to assess the impact of the proposed project, and, indeed, the model was not used in any impact evaluation.

If a barrier existed, it would likely be located in such a manner to "create" the wetlands. In other words, water from the Hilltop Estates area would flow downhill, encounter this presumed barrier, which would act as a dam, and cause groundwater levels to rise up under the wetland area. WCCSD No. 4 is located

below the wetland area, and if the barrier existed, any drawdown cone would have to cross this barrier. Therefore, assuming that a barrier does not exist is the most conservative assumption and would tend to overestimate the drawdown in the wetland area and the Hilltop Estates area due to the pumping of WCCSD No. 4. No data exist to confirm the existence or absence of such a barrier. In such cases, it is generally acceptable to assume "worst-case" conditions and complete the analysis recognizing that such an assumption was made.

Crljenko: No related comments

Gaston: 1. This assumes that the 10% recharge rate is accurate, there are no other sources of recharge, and that no barriers exist to groundwater flow. The numerical modeling effort is certainly no "proof" as to the accuracy of the 10% estimate, and although there is reason to believe that additional groundwater flows in from the northeast, there is no reasonable estimate of this flow.

Again, this approach assumes that the 10% recharge rate is accurate, there are no other sources of recharge, and that no barriers exist to groundwater flow.

WCCASD No.3 and TEAM No. 60 are the same well

It assumes that the 1973 groundwater level was accurately recorded. We had no source data regarding this well, only a data summary plotted on a map. In many cases, drilling contractors measure the water level in a well prior to development. After development, the water level is substantially lower.

The increase in drawdown in WCCSD No. 4 is likely due to well bore storage conditions that were present in the first 32 minutes of the test. The data in the first 32 minutes of the test reflect both well bore and aquifer conditions and cannot be used in analysis.

As stated in the WRA, the decreased rate of drawdown in WCCSD No. 3 is likely due to the reduction in pumping rate that occurred in the first two minutes of the test.

The estimated transmissivity is 5225 gpd/ft. When that value is divided by the saturated thickness (260 feet), the resulting estimated hydraulic conductivity is indeed 20.1 gpd/ft2. However, that result needs to be divided by 7.48 to convert hydraulic conductivity into the units described (2.69 ft/day).

The question is confusing. Semi-log plots with straight lines are what are sought in this type of analysis.

There was no linear response during the other portion of the curve. Moreover, this calculation was completed in order to check if the storativity was generally low using the other portion of the curve.

Storativity is a dimensionless value.

It is not known whether the "Lowry well" is TEAM No. 62 or TEAM No. 63. The Triad data sheet provides no insight.

Depth to water in the Lowry well at the start of the test was 29 feet.

The depth to water fluctuated between 28 feet and 30 feet. The well was in use at the time (apparently) and no discernable trend in groundwater level could be seen from the pumping of WCCSD No. 4.

No recovery was monitored by Triad

It is unclear what is "missing". The data in Table 4 were used in the statistical analysis.

That rate isn't "rejected" as much as it is put into the context of the well depth. Note that in the examples provided, well depth is omitted. When added, it is clear that there is a possible explanation simply related to the depth of the well and groundwater elevation. In all likelihood, the observed declines are a combination of time (i.e. development of groundwater) and depth of wells (deeper wells have lower groundwater elevations).

The estimate of 20,000 AFY was considered too high and the model was not used for impact analysis.

Yes. A lower hydraulic conductivity would result in a calculated inflow rate that would be lower.

There is no evidence of "fossil" water in the area.

No attempt to "date" the water was done.

This is confusing since the reported transmissivity and hydraulic conductivity are not exactly "high". In general, high conductivity and low storativity can be observed in fractured rock aquifers.

Advection dominates in most groundwater flow systems. There is no evidence to suggest that advection is not the dominant mechanism here.

The numerical model used the USGS code MODFLOW

Inputs to the model are described in the WRA (hydraulic conductivity, recharge etc.).

In brief, the poor match and the unreasonably high inflow rate calculated suggest that the model is not reliable. As such, it was not used in impact analysis.

The model was not used in this manner.

Beyond scope of this review

Peterson:

A. The Lowry well was monitored during the test and showed no response to the test pumping.

No recovery data were collected.

The potential for impacts to Hilltop Estates and the wetland area are covered.

This was the most recent data available to us

This was the most recent data available. Also, the 5.15 mgd represents an average per residence rate of over 400 gallons per day, which is considered reasonable.

Beyond scope of this review

Beyond scope of this review

Beyond scope of this review

Wilson: No related comments.

ADDITIONAL WATER RESOURCES ASSESSMENT
RIMROCK RANCH
MONO COUNTY, CALIFORNIA

November 27, 2000

KLEINFELDER
An employee owned company

November 27, 2000
File: 30-2091-02

Larry Johnston
Mono County Planning Department
P.O. Box 347
Mammoth Lakes, California 93546

SUBJECT: Additional Water Resources Assessment
Rimrock Ranch
Mono County, California

Dear Mr. Johnston:

Kleinfelder has completed an "additional" water resources assessment of the Rimrock Ranch project in Mono County. The purpose of the additional assessment was to provide support for responses to comments received by Mono County in regard to the Rimrock Ranch Specific Plan Environmental Impact Report and "Water Resource Assessment Rimrock Ranch Specific Plan", 1999.

Issues raised in the comments received by Mono County fall into the categories of water quantity, recharge and potential impact to nearby water users. The following scope of work was performed to aid in addressing these issues:

Task 1	Assess Potential Recharge Quantities
Task 2	Aquifer Assessment
Task 3	Hydraulic Gradient Calculation
Task 4	Report Preparation

Attached is our report regarding the assessment activities performed and our findings. Kleinfelder appreciates the opportunity to provide you with our professional services. Should you have further questions regarding this report please call the undersigned at (775) 689-7800.

Sincerely,

KLEINFELDER, INC.

Brian Peck R.G.
Groundwater Geologist

David Herzog R.G., C.E.G.
Senior Engineering Geologist

BW:DH:dg

30-2091-02/3010R273

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ADDITIONAL WATER RESOURCE ASSESSMENT
RIMROCK RANCH
MONO COUNTY, CALIFORNIA

1 PURPOSE

The purpose of the assessment activities performed was to provide additional documentation regarding the potential impacts of using Wheeler Crest Community Service District (WCSD) Well #4 (Well 4) as a primary source of water for an additional 35 lots in the area (Plate 1). The lots are reportedly to be developed as residences. A document entitled "Water Resource Assessment Rimrock Ranch Assessment Plan" was prepared by TEAM Engineering and Management (TEAM), dated July 15, 1999. This document was prepared as part of the Environmental Impact Report (EIR) for the development. The EIR received numerous comments from the local public who felt that it did not address the potential impact to their wells. Therefore, the intent of this document is to provide support to Mono County (the Client) in addressing these comments.

2 INTRODUCTION

The proposed Rimrock Ranch subdivision is located below Wheeler Crest peak in Mono County California, Plates 1,2&3. The site lies north of the Owens River Valley and approximately 10 miles south of Crowley Lake. It sits in an area of considerable relief with elevations that range from approximately 6,500 feet mean sea level (msl) to over 7,500 feet msl.

At the present time there are numerous residences in close proximity to the site. Some of these residences have been in existence for over 15 years. Many of these residences use groundwater from domestic wells as their water supply. The proposed Rimrock Ranch subdivision intends on using water from a well owned by the Wheeler Crest Community Service District (WCCSD), specifically Well #4. It is anticipated that this subdivision will require almost 16 acre feet of water per year (TEAM Engineering and Management, (TEAM), 1999).

Kleinfelder proposed to conduct the following scope of work to supply the Client with additional hydrologic information regarding the potential impact of withdrawal of the reported 16 acre feet of water per year from the groundwater system.

2.1. Work Scope:

Task 1 Assess Recharge Quantities

The available recharge for the aquifer system(s) was evaluated using the Maxey-Eakin Method (Maxey and Eakin, 1949). Precipitation data were obtained from the closest available weather service station, or local ski area records.

Task 2 Aquifer Assessment

Geologic maps and readily available well logs for domestic and municipal wells were evaluated to ascertain the aquifer type, (bedrock/alluvium) in the different portions of the study area. This helped assess the relationship between the groundwater system in different parts of the study area. We obtained well log data from Team Engineering files.

Task 3 Hydraulic Gradient Calculation

Water levels were measured in available municipal and domestic wells located within the study area during a short time period to calculate the hydraulic gradient of the groundwater in the study area.

Task 4 Report Preparation

A report was prepared that summarized the data collected, methods of analysis, and conclusions.

2.2. Modifications to Work of Scope

Kleinfelder was given a relatively short time frame (about two weeks) to performed the scope of work as described above. We executed it with the following exceptions/modifications:

- The E.P.A. HELP model used to assist in predicting recharge required specific hydrogeologic data that were not readily available to us. Therefore, we chose to use the Maxey-Eakin Method (Maxey and Eakin, 1949) to assess recharge, as refined and described in (Watson et.al., 1976) and (Avon and Durbin, 1994). This method uses the relationships between precipitation, elevation and related evaporation potential to estimate recharge.

- Elevation data were provided for the wells used to assess hydraulic gradient. Therefore, we did not use a GPS unit to assess elevations of the Measuring points.

The following sections of the report provide:

- Background information on the local and regional hydrogeology of the study area;
- A description of the methods used and results of each of the assessment related tasks performed;
- A overall discussion of results; and
- Conclusions and recommendations for future activities.

3 BACKGROUND INFORMATION

3.1. Regional Geologic Setting

The following description of the regional geologic setting is based on our review of the sited geologic literature, U.S. Geologic Survey geologic maps of the area, and observations made by a Kleinfelder geologist who is a California registered geologist.

The study area is located in the basin and range physiographic province at the northern end of Owens Valley, north of Round Valley, east of the Bishop fault zone, south of Lake Crowley, and west of the Bishop tuff Volcanic Tableland. Formation of the Owens Valley basin began during crustal extension when a structural block dropped down between normal faults bounding the Sierra Nevada on the west and the White Mountains on the east. The site is overshadowed to the west by Mt. Sherwin and the Wheeler Crest of the Sierra Nevada Range with over 6,000 feet of relief. The Sierra Nevada range is a large, west-tilted fault block, bounded on the east by *en echelon* and branching normal faults.

The project site is underlain by 400 to 600 feet of Bishop tuff, a variably welded and indurated (cemented) deposit laid down during the Long Valley Caldera pyroclastic eruption. This eruption ejected 150 cubic miles of ash approximately 760,000 years before present from an area as near as 7 miles to the north of the site and formed a plateau known as the Volcanic Tablelands. The Bishop tuff is divided into an upper and lower unit. The lower Bishop tuff is generally more welded and indurated and is considered to be a poor aquifer host rock with what would be considered low transmissivity. The upper Bishop tuff is variably welded and grades into porous and probably more transmissive units in its upper horizons. Alluvium, scree, and related coluvial deposits derived from Mt. Sherwin are suggested to be interfingered with the Bishop tuff. Repeated movement on local faults during the Quaternary Age (past 1.5 million years)has displaced alluvial and glacial deposits relative to the Bishop tuff (Plate 4).

The glacial sequence of the eastern Sierra Nevada has been divided into a series of glacial advances including (youngest to oldest) the Tioga (25-10,000 years before present (BP)), Tahoe (~140,000 years BP), Sherwin, and McGee glaciations. A more detailed segregation of glacial

deposits includes the Tioga, Tenaya, Rovana, Tahoe, Mono Basin, Casa Diablo, Sherwin, and McGee glaciations. Till of the Sherwin and Tahoe glaciations is mapped near the study area (see Geologic Map, Plate 4).

3.1.1. Vegetation

The vegetation community in the Rimrock Ranch area is sagebrush scrub. Zones with near surface groundwater exhibit mixed sagebrush, pinion and jeffrey pine communities. Swall Meadows and the base of the major creeks in the area exhibit wetlands vegetation with sedges, grasses and willows.

3.1.2. Study Area Hydrogeology

The hydrogeology of the study area is composed of surficial alluvium in its western portion, and Bishop tuff with a veneer of alluvium and boulders on the eastern portion. The hydrogeology of the study area is complicated because of: 1) relatively steep surface gradients in the Swall Meadow and Rimrock Ranch subdivisions, 2) high elevation relief (>6000 feet) in the Sierra Nevada Range located within one mile to the west of the site, 3) significant microclimate variations in the study area and Sierra Nevada recharge source area as a result of orographic influences on precipitation, 4) a major fault zone system bounding the west side of the subdivisions, and 5) potential rapid vertical and lateral changes in hydraulic conductivity between alluvium/colluvium and underlying volcanic tuff strata with variable induration (based on site geologic features). Given the geologic setting of the site, the mapped alluvial deposits may contain locally unsorted material in the subsurface that results in a relatively low hydraulic conductivity (permeability) in close proximity to well sorted material of high permeability.

The primary source of groundwater recharge near the site occurs as precipitation in the adjacent Wheeler Crest of the Sierra Nevada Range. Much of this precipitation is lost to evaporation and transpiration. In similar environments, some of this precipitation infiltrates into fractures in the subsurface material such as the Rock Creek Granodiorite bedrock as exposed above Swall Meadows in the Wheeler Crest massif, thus supplying groundwater. Finally, a percentage of incident precipitation flows as surface runoff during spring melt down rills and ephemeral creeks on the east Wheeler Crest flank and infiltrates into the alluvium at the alluvium/bedrock contact. Upon reaching the range-front Bishop Fault Zone (see Plate 4) some shallow groundwater daylights along the escarpment to supply perennial springs and the wetlands area of Swall Meadows, Plate 1. This component of the groundwater flow regime appears stable enough to

support perennial springs and wetlands and a prominent band of large conifers along an apparent fault lineament paralleling upper Mountain View Drive; this lineament can be observed on the aerial photographs shown in Plates 5 and 6.

3.1.3. WCCSD Well #4

WCCSD well #4 is located as shown on Plate 7. An understanding of the hydrogeology and hydraulics of this well is important since it the proposed source for the planned development. The well was constructed to a reported depth of 387 feet. Rock (possibly tuff based on drillers log) was encountered at a depth of approximately 155-165 feet. The well is screened from 78 to 378 feet below land surface. On December 31, 1998 the depth to water in the well was assessed at 97 feet. During our site visit of November 17, 2000 the depth to water was measured at 112.1 feet. Based on a air lift test, the well was rated to produce 50 gallons per minute.

A 48 hour constant rate pumping test was performed by TEAM using WCCSD Well #4 in April, 1999. During the test, the discharge rate declined from 100 to 78 gpm.. Team derived a hydraulic conductivity value of 2.69 ft/day, a transmissivity of 5225 gallons per day per foot (gpd/ft) and a storativity estimate of 2.72×10^{-4} from this test.

4 RECHARGE ASSESSMENT

Groundwater recharge was estimated using the Maxey-Eakin methodology described by Watson, et al., 1976. The Maxey-Eakin method postulates that recharge in mountainous areas in the Great Basin environment is dependent on land elevation and total precipitation.

Most precipitation in the Owens Valley area occurs from October through February. A map of mean annual precipitation for the Owens Valley area was reviewed as presented in Danskin, 1998. This map indicates that 8 to 10 inches of precipitation occur in the project area. Annual precipitation in Bishop and Independence averaged 5.59 and 5.39 inches, respectively, for the period between 1951 and 1980.

Extreme topographic relief to the west of the study area results in extreme orographic precipitation shadowing, causing rapid lateral changes in average annual precipitation. A rating regression equation has been developed for the Owens Valley area of mean annual rainfall as a function of elevation, Danskin,1998:

$$P_{rave} = 0.00245 \bullet LSE - 3.205$$

where P_{rave} = Precipitation based on recent average annual records (1963-1984; in inches);
LSE = land surface elevation in feet.

The long term mean annual precipitation for sites along the west side of the Owens Valley can be estimated using a function derived for the U.S. Weather Bureau station at Independence with 99 years of record by multiplying P_{rave} by the constant 0.853 (Danskin, 1998; page 25). Precipitation for six elevation intervals between 5,500 and 11,745 feet of elevation were computed using the Danskin equation. These values are summarized in Table 1.

The Maxey-Eakin relationship states that recharge rates are generally a function of elevation, with the percentage of precipitation that becomes aquifer recharge increasing with elevation and latitude. For this study recharge rates was computed using the Maxey-Eakin percentage of the precipitation in six elevation zones, each 1000 feet in height. It was assumed that no recharge

occurs below an elevation of 6500 feet. A summary of the elevation intervals along with their total precipitation, percent precipitation as recharge and total recharge is shown in Table 1.

The Maxey-Eakin method was used to estimate a recharge volume immediately upgradient from the Swall Meadow/Rimrock Ranch subdivisions of 455 acre-feet per year (148 million gallons). Some of this recharge may not be available to wells due to several factors such as evapotraspiration and loss to surface water bodies within the developed area.

A portion of the recharge total is lost to evapotranspiration in the Swall Meadow wetland area and along the riparian zones paralleling the several creeks in the study area. Evapotranspiration in the study area ranges from 12 to 48 inches per year and is dependant on available soil moisture. Potential evapotranspiration is approximately 55 inches per year. In the subsurface, evapotranspiration is primarily a function of the saturation water vapor deficit and mostly occurs in the uppermost 10 feet of the unsaturated vadose zone. Water levels in the study area are variable and occur both above and below the 10 foot depth. It should be noted that evapotranspiration is intrinsically included in the Maxey-Eakin recharge estimation method.

Surface water in the Swall Meadow wetland area appears to infiltrate along the meadows' eastern terminus. Therefore, not all of the groundwater that daylights with the meadow is lost to evaporation.

During our site visit we also observed groundwater emanating from tuff to a creek bounding the southern margin of the Gonzalez property (informally referred to as Swall Creek)(Plates 7 and 8). This creek appears to be a gaining stream starting approximately 1000 feet west of the Bishop fault zone, then transitions into a losing stream about 3000 feet east of the fault and continues as a losing stream for another 5000 feet until surface flow is apparently lost to the groundwater system. Swall Creek flow was measured at 110 gpm on November 17, 2000, in the losing stream reach at the dirt road crossing in the center of Section 24. Overall, the observations suggest that a small portion of the potential recharge to the area is lost to surface water.

Presuming that the neighboring residences (73 per Mono County, July 2000) use an equivalent amount of water as those served by WCCSD, their total consumption would be about 33 acre feet per year. The anticipated consumption of the proposed Rimrock development is almost 16 acre feet. This gives a total local demand of about 50 acre feet per year. It is anticipated that a portion of this water will be recharged through percolation from irrigation and septic leach fields.

Given a overall recharge of about 455 acre feet per year (minus some losses) to the system and total demand of almost 50 acre feet, it appears there is sufficient supply for the proposed build out of the Rimrock Ranch subdivision.

TABLE 1

PRECIPITATION AND MAXEY-EAKIN RECHARGE VERSUS ELEVATION

Elevation Interval	Elevation for precipitation determination (feet, NGVD)	Precipitation in Owens Valley (inches/year)	Precipitation in Western Owens Valley (inches/year)	Recharge Rate (percent of precipitation)	Recharge Rate (inches/year)	Elevation Interval Area (acres)	Recharge Volume (acre-ft)
5,500-6,500	9.79	11.50	9.79	3	0.29	---	---
6,500-7,500	11.88	13.95	11.88	7	0.83	799	55
7,500-8,500	13.97	16.40	13.97	15	2.10	295	52
8,500-9,500	16.06	18.85	16.06	25	4.01	276	92
9,500-10,500	18.14	21.30	18.14	30[2]	5.44	288	131
10,500-11,500	20.23	23.75	20.23	35[2]	7.08	212	125
					Total Recharge:		455

Notes: 1: Recharge rate based on Maxey-Eakin relationship

2: Estimated values

5 AQUIFER ASSESSMENT

Kleinfelder reviewed readily available drillers logs of domestic wells located in the Hilltop Estates, Swall Meadows, and Rimrock subdivision. It is apparent from the logs (Appendix A) and our observations in the field that there are at least three hydrologic/hydrogeologic units that comprise the local aquifer system within the developed and proposed developed area. These units consist of a relatively unconfined aquifer system in alluvial material (sands and gravels), locally confined aquifer/s located north of Swall Meadows, and a aquifer unit predominately hosted by the Bishop tuff. Wells in the Bishop tuff are significant since this appears to be the predominant host rock for the aquifer tapped by WCCSD Well #4.

The Bishop tuff is exposed at land surface at WCCSD#1, the Haber well, and generally in the Rimrock Ranch subdivision south of Rimrock Place based on field inspection. Alluvium overlies the tuff in the northern half of the subdivision with a thickness of up to 155-163 feet in WCCSD#4 based on drillers logs; see Table 2. Alluvium thickens to the north and west of WCCSD Well #4 and appears to increase to at least 235 feet in the upper Swall Meadows area. A brown to yellow clay is described in several of the drillers logs reviewed. This clay was noted in borings in the Swall Meadows area, at various depths from land surface to 31 feet bls. This clay and other similar materials may be responsible for the high water table condition identified in the Swall Meadows subdivision. In addition, the clay may serve as a lower permeability zone that allows for artesian conditions in this area.

TABLE 2

DEPTH AND ELEVATION OF BISHOP TUFF FROM DRILLERS LOGS

Well Owner	Address	Depth to first clay	Alluvium thickness/ Depth to Bishop tuff	Ground Surface Elevation	Bishop tuff Top Elevation
Ralph Haber	730 Rimrock Dr.	0	0	6000	6000
Paul Gonzalez (upper well)	340 Willow Rd.	-	-	6725	-
Dan O'Dell (1990)	276 Valley View Rd.	0	115	6365	6250
Al Carson	159 Willow Rd.	-	-	6425	-
Steve Ingram	140 Willow Rd.	0	>110	6470	<6360
Steve Peterson	788 Mtn View Rd.	-	-	6890	-
Tim McMullen	67 Willow Rd.	-	95	6440	6345
Karl Hinrichs (main house well)	318 Mtn. View Dr.	-	-	6525	-
Dennis Oakeshott	59 Valley View Rd.	-	-	6340	-
Hilltop Estates Water Association	-	-	>100	6635	<6535
Denver Jones	Foothill Rd	25	>150	6705	<6555
Hellen LaHannas	-	10	150	-	-
Dick Dennings	West Swall Meadows Rd.	5	235	-	-
Bill Kelsy	315 Swall Meadows Rd.	0	111	-	-
Richard Arnold	SW end of Wilson Rd.	0	>105	-	-
Arthur Millet	Lot 9 Swall Meadows	-	>115	-	-
Don Stasifer	end of Mountain View	31	>214	-	-
Milo Burnham	Hilltop Estates	-	>142	-	-
Pat Tarnes	Mt. View Dr.	0	granite at 150	-	-
Michael Newbrough	Hilltop Estates Lot 22	-	>145	-	-
Toni Richards	N end of Mt. View	0	granite at 50	-	-
Richard Larson	Swall Meadows	0	>200	-	-
Joe Fochesato	319 Wilson Rd	20	granite at 170	-	-
Mike Levine	Hilltop Estates	-	>95	-	-
R.J. Wilson	Hilltop Estates main well	-	>100	-	-
Mr. Cardine	Hilltop Estates	-	>135	-	-
Harold Furguson	Hilltop Estates Lot 6	18	>205	-	-
Russel Reese	Mr. View Dr.	0	>210	-	-
Russ Fields & O. Knowles	Hilltop Estates Lot 10	-	>110	-	-
Dick Larson	Hilltop Estates Lot 15	-	>105	-	-
Jim Willis	316 Valley View Rd.	15	>145	-	-
Jeff Vaughan	Lot 16A	5	>160	-	-
WCCSD#1		-	0	6160	6160
WCCSD#2		-	108	6270	6162
WCCSD#3		-	148	6395	6247
WCCSD#4		40	163	6395	6232

The typical depth of the wells in the Hilltop Estates area and around Swall Meadows is less than 200 feet, see Table 2. They are typically screened in alluvial material (sand, gravel, and boulders). Those wells that are screened in artesian zones should be significantly hydraulically separated from those in the immediate area that are under the influence of water table conditions (non-artesian).

Those wells installed at lower elevations, in the Rock Ranch area, are generally installed in the rock inferred as the mapped Bishop tuff and related deposits. The Bishop tuff should extend below the wells installed in the alluvial material in the Hilltop Estates and Swall Meadows area. Given this apparent geologic frame work of the study area, the water within the alluvial portion of the aquifer system should be a source of recharge to wells within the Bishop tuff. Based on these observations, it is apparent that the wells installed in the Rimrock Ranch area may be in a significantly different hydrogeologic regime than those in the Hilltop Estates area.

6 ASSESSMENT OF HYDRAULIC GRADIENT

The depths to water were measured in twelve water supply wells by Kleinfelder using a calibrated electronic tape on November 9,10 & 17, 2000. Depth to water, measuring point elevation and water elevation in these wells are summarized in Table 3. The only other water level data available to Kleinfelder as of this report were from drillers logs at time of well construction and data collected from the WCCSD Well 4 aquifer performance test conducted in 1999. Using the data presented in Table 3 we prepared Plates 7 through 10 that show the assessed depth to groundwater and the hydraulic gradient, respectively.

TABLE 3

DEPTH TO GROUNDWATER MEASUREMENTS, NOVEMBER 9, 10 & 17, 2000 (IN FEET)

Well Owner	Depth to Water below measuring point	Casing Height (1)	Depth to Water below grade	Ground Surface Elevation (2)	Groundwater Elevation
Ralph Haber	488.38	2.20	486.18	6000	5514
Paul Gonzalez (upper well)	31.78	0.95	30.83	6725	6694
Dan O'Dell	226.62	1.70	224.92	6365	6140
Al Carson	17.96	1.40	16.56	6425	6408
Steve Ingram	8.90	1.50	7.40	6470	6463
Steve Peterson	18.50	0	18.50	6890	6872
Tim McMullen	8.65	0.80	7.85	6440	6432
Karl Hinrichs (main house well)	13.04	1.00	12.04	6525	6513
Dennis Oakeshott	106.27	1.30	108.07	6340	6232
Hilltop Estates Water Association	0 (3)	(3)	-0.50	6635	6636
WCCSD#2	216.60	0.40	216.20	6270	6054
WCCSD#4	112.11	1.18	110.93	6395	6284

1. As assessed in the field
2. Reference: Data provided by Triad Holmes and Associates
3. Water in well appeared to be under flowing artesian conditions, elevation head in aquifer at this location appears to be above land surface.

Based on the assessed groundwater water elevation data, the near surface groundwater flows parallel to the land surface (flowing easterly) for variable distances through the mapped alluvium in the Swall Meadows area. The depth to water in this area is relatively shallow (<30') due to local artesian conditions. Local artesian conditions were observed at the Hilltop Estates well located just north of Swall Meadow. At the time of our site visit water was percolating from around the well casing at an approximate rate of one gallon per minute. It appears that once the groundwater reaches the contact of the Bishop tuff, it migrates both laterally and vertically. The depth to groundwater in this area of study ranged from over a hundred feet to almost 500 feet below ground surface (b.g.s.).

The groundwater gradient in the upper Swall Meadows area from the Peterson domestic well to the Hilltop Estates well is (6871.50-6635.50)/1125, or 0.21 ft/ft. The groundwater gradient in the lower Swall Meadows area from the Hinrich's domestic well to the Oakeshott well is (6512.96-6231.93)/1610, or 0.174 ft/ft. The groundwater gradient in the Rimrock Ranch subdivision area between WCCSD Well # 2 and the Haber domestic well is (6053.80-5513.82) ft/3300 ft, or a gradient of 0.164 ft/ft. These gradients are similar and are all relatively steep.

The combination of a steep hydraulic gradient emanating from the west/northwest combined with a overall deeping of the water table to the east suggests that the apparent drawdown in the vicinity of well WCCSD #4 should be minimized as the radial distance from the well increases. Thus water levels in those wells located in the Swall Meadows/Hilltop Estates area should experience little to no observed impact due to the proposed operation of Well #4.

7 DISCUSSION

The shallow aquifer in the Swall Meadows Subdivision appears to be a system fed by groundwater that slowly drains from the fractured bedrock as well as direct recharge from precipitation. Recharge to the groundwater system is estimated to be 455 acre-feet per year. (Table 1).

The material mapped as alluvium underlying the upper portion of the study area grades vertically and laterally from poorly sorted material with relatively low hydraulic conductivity to more permeable sands and gravels. There is some evidence to suggest that the groundwater in the alluvium flows down gradient until it reaches the distal terminus of this material. Groundwater then descends into the more permeable upper member of the Bishop tuff (primary source rock for WCCSD Well #4). The tuff is drained by "Swall Creek" to the south of the two subdivisions. In our opinion, the aquifer hosted by the tuff in the Rimrock Ranch subdivision is a down gradient system fed in part by flow from the alluvial portion of the aquifer system. The lower Bishop tuff aquifer may also be recharged by subsurface fracture flow at higher elevations in the Wheeler Crest massif and along the fault system.

We did not observe records of wells that apparently penetrate the alluvium and tap the Bishop tuff aquifer in the upper Swall Meadows subdivision; therefore, it cannot be conclusively stated that a mutually exclusive two-layer aquifer system exists in this area. Given the local hydrogeology and spatial variations in groundwater withdrawal sites, it is probable that groundwater withdrawals from the Bishop tuff portion of the aquifer system (specifically from WCCSD well #4) will have no impact on water levels in the upper alluvium hosted system. Wells that obtain water from the Bishop tuff portion of the aquifer system have the greatest likelihood to be impacted.

8 CONCLUSIONS AND RECOMMENDATIONS

The potential impacts to groundwater levels resulting from operation of WCCSD Well #4 predicted by Team Engineering are conservative in that a majority of the domestic wells are located hydraulically upgradient from Well #4. Furthermore, most of the domestic wells appear to be completed in a near surface alluvial aquifer that is probably a recharge source for wells, such as Well #4, that are within the Bishop tuff portion of the aquifer system. These factors minimize potential impacts from Well #4 pumping. We provide the following additional conclusions and recommendations:

- Our limited assessment appears to provide support to the conclusions made by TEAM that operation of Well #4 would not significantly impact the neighboring domestic wells.

- Recharge to the groundwater system is estimated to be 455 acre-feet per year. Groundwater usage for both existing subdivisions and the proposed Rimrock subdivision are estimated to be 50 acre-feet per year.

- Most of the domestic wells in the Hilltop Estates and Swall Meadows subdivisions are completed within the near surface alluvial aquifer that lies uphill and above the Bishop tuff aquifer. Well # 4 is completed in the Bishop tuff aquifer. Groundwater pumping within the Bishop tuff aquifer (Well #4) should have no impact on wells completed within the shallow alluvial aquifer.

- A monitoring program is suggested consisting of biannual monitoring of the WCCSD wells with at least 24 hours of non-pumping prior to water level measurements. These readings would provide data for assessing any long-term water level trends and assist the utility operators to best manage the groundwater resource. Monitoring should occur in the spring prior to the irrigation season and in September at the conclusion of the irrigation season.

9 REFERENCES

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APPENDIX A

Plates

APPENDIX E RIMROCK RANCH MITIGATION IMPLEMENTATION & MONITORING PROGRAM

REGULATORY AND CODE COMPLIANCE STANDARDS

The project would be subject to a number of uniform code requirements and standard conditions of approval. These requirements would be imposed by the County and by other agencies (such as the Lahontan Regional Water Quality Control Board) with jurisidiction by law over the proposed development activities and/or the resources affected by those activities. Many of these requirements have been established to safeguard environmental resources, and/or to promulgate environmental goals and objectives. If the project is approved, compliance with those measures will be mandatory, not discretionary. These measures do not conform to the CEQA definition of mitigation measures and are not listed as such here.[1] Although regulatory codes and standards are not incorporated into this mitigation program, the applicant would be required to comply fully with all relevant requirements before the necessary permits and approvals are obtained.

ADOPTION

The Mono County Planning Commission and Board of Supervisors will be required to consider the adoption of mitigation measures during the decisionmaking process for this project. The Planning Commission and Board of Supervisors must choose whether to accept, reject, or modify the mitigation measures presented in this FEIR.

MONITORING AND REPORTING

Upon project approval, Mono County would be responsible for ensuring that the mitigation measures measures incorporated into the project are implemented during the design, construction, and maintenance of the development. County staff would be responsible for ensuring that mitigation measures are satisfactorily monitored and for reporting to the Planning Commission and Board of Supervisors regarding progress in implementing the measures.

The Planning Commission and Board of Supervisors would be responsible for considering whether the measures are being implemented as intended in the mitigation program and determining whether modifications are required to ensure that project impacts remain below a level of environmental significance.

MITIGATION MEASURES

Policies from the Rimrock Ranch Specific Plan which serve as mitigation measures for the project are identified in the Mitigation Monitoring Program as follows:

LU = Land Use policies
DG = Design Guidelines policies
I = Infrastructure policies
NRC = Natural Resource Conservation policies
TC = Transportation/Circulation policies

[1] CEQA defines mitigation as the avoidance, reduction, or rectification of adverse impacts by not taking an action, limiting the magnitude of an action, repairing an impacted environment, undertaking enhanced preservation operations, and/or replacing or providing substitute resources or environments.

GEOLOGY AND SOILS

GS-1: Permanent clearing of native vegetation for structures, landscaping, gardens, animal enclosures, and driveways shall be limited to 20 percent of total lot area. On lots smaller than 5 acres, an additional 10 percent of the total lot area may be cleared or otherwise utilized for livestock pens or corrals. The remainder of the parcel shall remain in its natural condition (LU Policy 4)

Implementation Timing: At time of grading and building permit approval; ongoing.
Responsible Agency: Mono County Public Works & Building Departments; CCO [2].

GS-2 Areas temporarily cleared for utility line construction, leach field or septic tank construction, well drilling operations or other temporary surface disturbances shall be revegetated as soon as possible in compliance with the landscaping standards in Natural Resource Conservation policies 10 and 11 of this Specific Plan (LU Policy 4)

Implementation Timing: At time of grading and building permit approval; ongoing.
Responsible Agency: Mono County Public Works and Building Departments; CCO.

GS-3 Siting and design of roadways, driveways and structures shall minimize cut and fill (DG Policy 3).

Implementation Timing: At time of grading and building permit approval.
Responsible Agency: Mono County Public Works and Building Departments.

GS-4 Erosion control measures on disturbed areas shall include the use of netting or similar erosion control materials; the removal, stockpiling, and replacement of topsoil, and revegetation with a native seed mix and/or native plants.

Implementation Timing: At time of grading and building permit approval; ongoing.
Responsible Agency: Mono County Public Works and Building Departments; CCO.

GS-5 Revegetation of disturbed areas shall occur as soon as possible following construction and shall require the use of native seeds, native plants grown from seeds or seedlings obtained from local native stock. Revegetated areas shall be monitored for a period of five years to ensure the success of the project and shall be replanted if necessary. Revegetated areas shall be irrigated as necessary to establish the plants (NRC Policy 11).

Implementation Timing: At time of grading and building permit approval; ongoing.
Responsible Agency: Mono County Public Works and Building Departments; CCO.

GS-6 Areas disturbed during the construction of roads shall be revegetated as soon as possible following completion of the roads in compliance with the landscaping and revegetation requirements in the NRC policies (TC Policy 6).

[2] CCO = Mono County Code Compliance Officer.

Implementation Timing: At time of grading permit approval.
Responsible Agency: Mono County Public Works Department.

AIR QUALITY

AQ-1 All woodburning devices installed in the project shall be Phase II EPA certified, in conformance with the Mono County General Plan (NRC Policy 12).

Implementation Timing: At time of building permit approval.
Responsible Agency: Mono County Building Department.

AQ-2 Permanent clearing of native vegetation for structures, landscaping, gardens, animal enclosures, and driveways shall be limited to 20 percent of total lot area. On lots smaller than 5 acres, an additional 10 percent of the total lot area may be cleared or otherwise utilized for livestock pens or corrals. The remainder of the parcel shall remain in its natural condition (LU Policy 4)

Implementation Timing: At time of grading and building permit approval; ongoing.
Responsible Agency: Mono County Public Works & Building Departments; CCO.

AQ-3 Siting and design of roadways, driveways and structures shall minimize cut and fill (DG Policy 3).

Implementation Timing: At time of grading and building permit approval.
Responsible Agency: Mono County Public Works and Building Departments.

AQ-4 Each parcel shall be landscaped in accordance with the landscaping guidelines in Natural Resource Conservation Policy 10 within 6 months of the issuance of a certificate of occupancy for a dwelling unit on a parcel (DG Policy 9).

Implementation Timing: Within 6 months of issuance of Certificate of Occupancy.
Responsible Agency: CCO.

AQ-5 With the exception of wells, septic systems, and fire-safe storage facilities, surface disturbance activities such as residential development, corrals, fencing and raising crops shall be prohibited outside private yard fenced areas (NRC Policy 4).

Implementation Timing: At time of building permit approval: ongoing.
Responsible Agency: Mono County Building Department; CCO.

AQ-6 Dust generated during construction shall be controlled through watering or other acceptable measures (NRC Policy 7).

Implementation Timing: At time of grading permit approval.
Responsible Agency: Mono County Public Works Department.

AQ-7 Property owners shall refrain from clearing native vegetation except as necessary for construction (NRC Policy 9).

Implementation Timing: Ongoing.
Responsible Agency: CCO.

AQ-8 Erosion control measures on disturbed areas shall include the use of netting or similar erosion control materials; the removal, stockpiling, and replacement of topsoil, and revegetation with a native seed mix and/or native plants.

Implementation Timing: At time of grading and building permit approval; ongoing.
Responsible Agency: Mono County Public Works and Building Departments; CCO.

AQ-9 Revegetation of disturbed areas shall occur as soon as possible following construction and shall require the use of native seeds, native plants grown from seeds or seedlings obtained from local native stock. Revegetated areas shall be monitored for a period of five years to ensure the success of the project and shall be replanted if necessary. Revegetated areas shall be irrigated as necessary to establish the plants (NRC Policy 11).

Implementation Timing: At time of grading and building permit approval; ongoing.
Responsible Agency: Mono County Public Works and Building Departments; CCO.

AQ-10 Areas disturbed during the construction of roads shall be revegetated as soon as possible following completion of the roads in compliance with the landscaping and revegetation requirements in the NRC policies (TC Policy 6).

Implementation Timing: At time of grading permit approval.
Responsible Agency: Mono County Public Works Departments.

WATER RESOURCES

WR-1 The following mitigation and monitoring program shall be implemented to ensure that possible impacts to the groundwater resource in the surrounding area that are measurable and attributable to the operation of Wheeler Crest Community Services District (WCCSD) Well No. 4 are avoided. This mitigation and monitoring program is taken from the Water Resource Assessment, Rimrock Ranch Specific Plan, 1999 (all of the following is from NRC Policy 16).

a. With developer funding, the WCCSD shall take quarterly water level (static) readings in each of its wells. If permission can be obtained and access to the well is reasonable, the groundwater level in all other wells in the area should be measured annually. These data shall be maintained by the WCCSD with copies forwarded annually to the Mono County Health Department.

Implementation Timing: Quarterly
Responsible Agency: Wheeler Crest Community Services District (WCCSD).

b. With developer funding, the WCSSD shall develop estimates of the elevation of the measuring point of each well where data are collected. This information should be developed within five years from the initiation of operation of WCCSD No. 4 and collection of depth to water data. This will ensure that future analyses are based on accurate estimates of groundwater elevation as well as depth to water.

Implementation Timing: Within five years from Well # 4 operation.
Responsible Agency: WCCSD.

c. Pumping amounts shall be recorded monthly in WCCSD wells and reported annually to Mono County. The number of service connections shall be accurately recorded and included in the reporting forms. Pumping amounts from domestic wells may be estimated, if necessary, in the future, based on these data.

Implementation Timing: Monthly.
Responsible Agency: WCCSD.

d. Because the potential for impact is considered low, pumping rotation or pumping limitations are not required as part of this mitigation and monitoring program.

Implementation Timing: Not applicable.
Responsible Agency: Not applicable.

e. WCCSD No. 3 shall be used as a monitoring well and shall act as a "trigger" well. The "trigger" shall be based on a water level decline more severe than the predicted decline under the worst-case scenario presented in the Water Resource Assessment, Rimrock Ranch Specific Plan, 1999, i.e., if the water level in WCCSD No. 3 drops more than five (5) feet after one (1) year of operation of WCCSD No. 4, all collected data shall be analyzed to evaluate the potential for impact to other wells. The objective of the evaluation would be to update and enhance the evaluation in the Water Resource Assessment, Rimrock Ranch Specific Plan, 1999, using the additional data.

This "trigger" is designed as an early warning system. The Water Resource Assessment notes that "... even if this drawdown [more than 5 feet in 1 year] occurred in a well less than 20 feet away from the pumping well after one year, it is highly unlikely that any significant impacts would be realized in other wells located further away after one year" (Team Engineering, p. 22).
(NRC Policy 16)

Implementation Timing: After one year of operation of Well # 4.
Responsible Agency: WCCSD.

VEGETATION

V-1 Permanent clearing of native vegetation for structures, landscaping, gardens, animal enclosures, and driveways shall be limited to 20 percent of total lot area. On lots smaller than 5 acres, an additional 10 percent of the total lot area may be cleared or otherwise utilized for livestock pens or corrals. The remainder of the parcel shall remain in its natural condition (LU Policy 4)

Implementation Timing: At time of grading and building permit approval; ongoing.
Responsible Agency: Mono County Public Works & Building Departments; CCO [3].

V-2 Areas temporarily cleared for utility line construction, leach field or septic tank construction, well drilling operations or other temporary surface disturbances shall be revegetated as soon as possible in compliance with the landscaping standards in Natural Resource Conservation policies 10 and 11 of this Specific Plan (LU Policy 4)

[3] CCO = Mono County Code Compliance Officer.

Implementation Timing: At time of grading and building permit approval; ongoing.
Responsible Agency: Mono County Public Works and Building departments; CCO.

V-3 Certain areas of riparian vegetation adjacent to onsite drainages, which have been identified by the project biologist as desirable for wildlife habitat, will be preserved with open space easements (LU Policy 6c).

Implementation Timing: Final tract map approval.
Responsible Agency: Mono County Public Works and Planning Departments.

V-4 No animals shall be allowed to be free-roaming. Horses and other grazing animals shall be penned or tethered in areas such that the native vegetation is not impacted by such animals in accordance with the site-disturbance limits established in Land Use Policy 3a (NRC Policy 5).

Implementation Timing: Ongoing.
Responsible Agency: CCO.

V-5 Landscaping shall be used to minimize potential visual impacts resulting from development and to provide vegetative screening to reduce deer avoidance of developed areas. Screening cover should be planted in a minimum 20-foot-wide strip along property boundaries and established deer use, consisting of an inner strip of indigenous trees and an outer dense strip of indigenous shrubs (DG Policy 10a).

Implementation Timing: Ongoing.
Responsible Agency: CCO.

V-6 Siting and design of roadways, driveways and structures shall minimize cut and fill (DG Policy 3).

Implementation Timing: At time of grading and building permit approval.
Responsible Agency: Mono County Public Works and Building departments.

V-7 Designate the approximately 100-acres owned by the Department of Fish and Game as Open Space/Natural Habitat Protection (OS/NHP). Permitted uses shall be limited to undisturbed natural uses (LU Policy 1).\

Implementation Timing: Specific Plan approval.
Responsible Agency: Mono County Planning Commission & Board of Supervisors.

V-8 Property owners shall refrain from clearing native vegetation except as necessary for construction (NRC Policy 9).

Implementation Timing: Ongoing.
Responsible Agency: CCO.

V-9 Areas disturbed during the construction of roads shall be revegetated as soon as possible following completion of the roads in compliance with the landscaping and revegetation requirements in the NRC policies (TC Policy 6).

Implementation Timing: At time of grading permit approval.

Responsible Agency: Mono County Public Works Departments.

V-10 Within the approximately 80-acres proposed for subdivision, open space shall be provided as follows (see Figure 4, Open Space Plan) (the following are all from LU Policy 6):

a. Large required setbacks (50 feet on all sides) will create 100-foot-wide development-free corridors along property boundaries.

Implementation Timing: At time of building permit approval.
Responsible Agency: Mono County Planning and Building departments.

b. A required 30-foot setback from the top of the bank of onsite perennial drainages will maintain open space along those drainages [Natural Resource Conservation Policy 15 and Mono County Zoning and Development Code 19.03.130 (7)(b)].

Implementation Timing: At time of building permit approval.
Responsible Agency: Mono County Planning and Building departments.

c. Certain areas of riparian vegetation adjacent to onsite drainages, which have been identified by the project biologist as desirable for wildlife habitat, will be preserved with open-space easements.

Open-space easements for the areas identified above and shown on Figure 4 shall be recorded on the final maps for the appropriate phase(s) of the project. The final maps shall note that permitted land uses within the open-space easements shall be limited to undisturbed natural uses.

Implementation Timing: Final tract map approval.
Responsible Agency: Mono County Public Works and Planning departments.

WILDLIFE

W-1 Parcel grading operations, structural foundation work, framing work and similar heavy construction activities shall be restricted to the period between May 15 and October 1 to minimize disturbance to migrating and wintering deer. This restriction shall not apply to emergency repair work. Emergency repair work shall be defined as that necessary to ensure public health and safety (e.g., water and sewer repair work, power repair work, emergency road clearing activities, etc.) (NRC Policy 1).

Implementation Timing: Grading and building permit approval process.
Responsible Agency: Mono County Public Works and Building departments.

W-2 Construction shall be limited to daylight hours in accordance with Mono County Code Chapter 10.16 (Noise Regulation) in order to minimize impacts to nocturnal resident wildlife species, such as mule deer (NRC Policy 2).

Implementation Timing: Grading and building permits.
Responsible Agency: Mono County Public Works and Building departments.

W-3 Impediments to deer movement, such as spoil piles, open ditches and excessive cut and fill slopes should be minimized to the greatest extent possible; e.g., ditches or trenches

should not be left open at night as they can be hazardous to deer and other nocturnal wildlife (NRC Policy 3).

Implementation Timing: Grading and building permits.
Responsible Agency: Mono County Public Works and Building departments.

W-4 With the exception of wells, septic systems, and fire-safe storage facilities, surface disturbance activities such as residential development, corrals, fencing and raising crops shall be prohibited outside private yard fenced areas (NRC Policy 4).

Implementation Timing: Ongoing.
Responsible Agency: CCO.

W-5 Domestic animals shall be restrained at all times, either through the use of leashes or private fenced areas. No animals shall be allowed to be free roaming. Horses and other grazing animals shall be penned or tethered in areas so that the native vegetation is not impacted by such animals in accordance with the site disturbance limits established in Land Use Policy 3a (NRC Policy 5)

Implementation Timing: Ongoing.
Responsible Agency: CCO.

W-6 Dogs belonging to individuals involved in construction activities shall be prohibited in the project area during construction phases (NRC Policy 6).

Implementation Timing: Ongoing.
Responsible Agency: CCO.

W-7 Noise levels during construction shall be kept to a minimum by equipping all onsite equipment with noise attenuation devices and by compliance with all requirements of Mono County Code Chapter 10.16 (NRC Policy 8).

Implementation Timing: Ongoing.
Responsible Agency: Mono County Public Works Department; CCO.

W-8 Exterior lighting on individual lots shall be designed and maintained to minimize the effects of lighting on the surrounding environment. Exterior lighting shall be limited to that necessary for health and safety purposes; high-intensity outdoor lighting shall be avoided or adequately shielded; the source of lighting must be concealed on all exterior lighting, and all lighting must be designed to confine light rays to the premises of each individual lot. In no event shall a lighting device be placed or directed so as to permit light to fall upon a public street, adjacent lot, or adjacent land area. Lights which could potentially illuminate the deer habitat on the DFG parcel shall be prohibited (i.e. on Specific Plan lots 1-9, and 35).

Implementation Timing: Ongoing.
Responsible Agency: Mono County Building Department; CCO.

W-9 The total fenced area on any parcel shall be limited to the total area disturbed onsite as allowed under Land Use Policy 3a above. Fencing shall be three-strand wire or three-rail pipe or wood fence. Solid wood fencing may be constructed within the immediate vicinity of a structure but shall encompass an area not greater than 1 acre (DG Policy 6).

Implementation Timing: Ongoing.
Responsible Agency: Mono County Building Department; CCO.

W-10 Wire fences shall consist of 3single-strand wires placed 20, 30 and 42 inches from the ground. All wire shall be smooth strand (DG Policy 7).

Implementation Timing: Ongoing.
Responsible Agency: Mono County Building Department; CCO.

W-11 Fencing used for livestock facilities (corrals, etc.) shall incorporate the use of poles, piping or other non-wire materials to allow deer safe passage (DG Policy 8).

Implementation Timing: Ongoing.
Responsible Agency: Mono County Building Department; CCO.

W-12 Permanent clearing of native vegetation for structures, landscaping, gardens, animal enclosures, and driveways shall be limited to 20 percent of total lot area. On lots smaller than 5 acres, an additional 10 percent of the total lot area may be cleared or otherwise utilized for livestock pens or corrals. The remainder of the parcel shall remain in its natural condition (LU Policy 4)

Implementation Timing: At time of grading and building permit approval; ongoing.
Responsible Agency: Mono County Public Works & Building Departments; CCO [4].

W-13 Building setbacks: 50 feet front, 50 feet side and 50 feet rear. No exceptions shall be allowed (LU Policy 4b).

Implementation Timing: Building permit approval.
Responsible Agency: Mono County Planning Department.

W-14 Certain areas of riparian vegetation adjacent to onsite drainages, which have been identified by the project biologist as desirable for wildlife habitat, will be preserved with open space easements (LU Policy 6c).

Implementation Timing: Final tract map approval.
Responsible Agency: Mono County Public Works and Planning Departments.

W-15 Property owners shall refrain from clearing native vegetation except as necessary for construction (NRC Policy 9).

Implementation Timing: Ongoing.
Responsible Agency: CCO.

W-16 Revegetation of disturbed areas shall occur as soon as possible following construction and shall require the use of native seeds, native plants grown from seeds or seedlings obtained from local native stock. Revegetated areas shall be monitored for a period of five years to ensure the success of the project and shall be replanted if necessary. Revegetated areas shall be irrigated as necessary to establish the plants (NRC Policy 11).

Implementation Timing: At time of grading and building permit approval; ongoing.

[4] CCO = Mono County Code Compliance Officer.

Responsible Agency: Mono County Public Works and Building Departments; CCO.

W-17 All development shall be set back at least 30 feet from the top of the bank of onsite perennial drainages in compliance with Mono County Zoning and Development Code Section 19.03.130 (7)(b) and LU Policy 6 (NRC Policy 15).

Implementation Timing: At time of grading and building permit approval; ongoing.
Responsible Agency: Mono County Planning and Building Departments; CCO.

W-18 Landscaping shall be used to minimize potential visual impacts resulting from development and to provide vegetative screening to reduce deer avoidance of developed areas. Screening cover should be planted in a minimum 20-foot-wide along property boundaries and established deer use, consisting of an inner strip of indigenous trees and an outer dense strip of indigenous shrubs (DG Policy 10a).

Implementation Timing: Ongoing.
Responsible Agency: CCO.

W-19 To minimize direct mortality impacts to the deer herd from vehicle collisions, signs shall be posted along roads within the project area warning drivers of the presence of deer (TC Policy 7).

Implementation Timing: At time of road construction.
Responsible Agency: Mono County Public Works Department.

VISUAL RESOURCES

VR-1 All utility lines (electricity, telephone, cable TV) shall be installed underground in compliance with Mono County Zoning and Development Code requirements [MCZDC 19.03.070 (E)]. The project shall not have streetlights.

Implementation Timing: Final tract map approval.
Responsible Agency: Mono County Public Works Department.

VR-2 Permanent clearing of native vegetation for structures, landscaping, gardens, animal enclosures, and driveways shall be limited to 20 percent of total lot area. On lots smaller than 5 acres, an additional 10 percent of the total lot area may be cleared or otherwise utilized for livestock pens or corrals. The remainder of the parcel shall remain in its natural condition (LU Policy 4)

Implementation Timing: At time of grading and building permit approval; ongoing.
Responsible Agency: Mono County Public Works & Building Departments; CCO [5].

VR-3 Areas temporarily cleared for utility line construction, leach field or septic tank construction, well drilling operations or other temporary surface disturbances shall be revegetated as soon as possible in compliance with the landscaping standards in Natural Resource Conservation policies 10 and 11 of this Specific Plan (LU Policy 4)

Implementation Timing: At time of grading and building permit approval; ongoing.

[5] CCO = Mono County Code Compliance Officer.

Responsible Agency: Mono County Public Works and Building Departments; CCO.

VR-4 Lot coverage: 20 percent maximum (LU Policy 3d).

Implementation Timing: Building permit approval.
Responsible Agency: Mono County Public Works and Planning Departments.

VR-5 Building heights shall not exceed 22 feet, determined by adding the heights of each of the four corners of the buildings above the natural grade and dividing by four (LU Policy 3f).

Implementation Timing: Building permit approval.
Responsible Agency: Mono County Public Works and Planning departments.

VR-6 Within the approximately 80-acres proposed for subdivision, open space shall be provided as follows (see Figure 4, Open Space Plan) (the following are all from LU Policy 6):

a. Large required setbacks (50 feet on all sides) will create 100-foot-wide development-free corridors along property boundaries.

Implementation Timing: At time of building permit approval.
Responsible Agency: Mono County Planning and Building departments.

b. A required 30-foot setback from the top of the bank of onsite perennial drainages will maintain open space along those drainages [Natural Resource Conservation Policy 15 and Mono County Zoning and Development Code 19.03.130 (7)(b)].

Implementation Timing: At time of building permit approval.
Responsible Agency: Mono County Planning and Building departments.

c. Certain areas of riparian vegetation adjacent to onsite drainages, which have been identified by the project biologist as desirable for wildlife habitat, will be preserved with open space easements.

Open space easements for the areas identified above and shown on Figure 4 shall be recorded on the final maps for the appropriate phase(s) of the project. The final maps shall note that permitted land uses within the open space easements shall be limited to undisturbed natural uses.

Implementation Timing: Final tract map approval.
Responsible Agency: Mono County Public Works and Planning Departments.

VR-7 Exterior lighting on individual lots shall be designed and maintained to minimize the effects of lighting on the surrounding environment. Exterior lighting shall be limited to that necessary for health and safety purposes; high-intensity outdoor lighting shall be avoided or adequately shielded; the source of lighting must be concealed on all exterior lighting, and all lighting must be designed to confine light rays to the premises of each individual lot. In no event shall a lighting device be placed or directed so as to permit light to fall upon a public street, adjacent lot, or adjacent land area. Lights which could potentially illuminate the deer habitat on the DFG parcel shall be prohibited (i.e. on Specific Plan lots 1-9, and 35).

Implementation Timing: Ongoing.
Responsible Agency: Mono County Building Department; CCO.

VR-8 Siting and design of roadways, driveways and structures shall minimize cut and fill (DG Policy 3).

Implementation Timing: At time of grading and building permit approval.
Responsible Agency: Mono County Public Works and Building Departments.

VR-9 Structures and fences shall be designed and constructed to harmonize with existing development in the area, the surrounding natural environment, and onsite topography (C.C. & R's). The following design guidelines shall apply to all development:

a. Structural siting and design should be sensitive to the topography of individual lots.
b. Roofing shall be fiberglass shingles or metal in colors compatible with the area (e.g. tan, brown, dark green, or similar colors).
c. Bright colors or reflective materials shall not be used for any component of any structure.
d. Siding materials shall have a natural appearance compatible with the surrounding environment. The use of indigenous rock shall be encouraged.
e. Siding materials shall be stained, painted or otherwise finished in muted earth tones in order to blend into the surrounding environment.
f. Colors and materials for fences shall be muted and shall blend with the surrounding natural environment.

(DG Policy 4)

Implementation Timing: At time of building permit approval; ongoing.
Responsible Agency: Mono County Planning and Building Departments; CCO.

VR-10 Architectural plans for any structure (e.g. dwelling unit, garage, barn, etc.) shall be reviewed and approved by the Wheeler Crest Design Review Committee prior to approval of the building permit (DG Policy 5).

Implementation Timing: At time of building permit approval.
Responsible Agency: Mono County Planning Dept.; Wheeler Crest Design Review Committee.

VR-11 Each parcel shall be landscaped in accordance with the landscaping guidelines in Natural Resource Conservation Policy 10 within six months of the issuance of a certificate of occupancy for a dwelling unit on a parcel (DG Policy 9).

Implementation Timing: Within 6 months of issuance of Certificate of Occupancy.
Responsible Agency: CCO.

VR-12 The following landscaping guidelines shall apply to all development:

a. Landscaping shall be used to minimize potential visual impacts resulting from development and to provide vegetative screening to reduce deer avoidance of developed areas. Screening cover should be planted in a minimum 20-foot-wide band along property boundaries and established deer use areas (see the Amended Deer Use Maps, Appendix B of the FEIR), consisting of an inner strip of indigenous trees and an outer dense strip of indigenous shrubs.

b. The following elements shall be shielded using landscaping: trash receptacles, propane tanks, and structures. Trash receptacles and propane tanks may also be shielded with fencing.
c. Xeriscape landscaping (drought-resistant planting, soil preparation and low water use irrigation systems, etc.) shall be required. Drip irrigation systems shall be encouraged.
d. Use of native, indigenous species shall be required.
e. The use of larger planting stock is encouraged to accelerate the process of visual screening.
f. Young plants shall be protected from deer and rodents until they are established, e.g. a 5 foot wire fence or vexar tubing have been found to work well to protect seedlings from deer.

(DG Policy 10)

Implementation Timing: Ongoing.
Responsible Agency: CCO.

VR-13 Property owners shall refrain from clearing native vegetation except as necessary for construction (NRC Policy 9).

Implementation Timing: Ongoing.
Responsible Agency: CCO.

VR-14 Revegetation of disturbed areas shall occur as soon as possible following construction and shall require the use of native seeds, native plants grown from seeds or seedlings obtained from local native stock. Revegetated areas shall be monitored for a period of five years to ensure the success of the project and shall be replanted if necessary. Revegetated areas shall be irrigated as necessary to establish the plants (NRC Policy 11).

Implementation Timing: At time of grading and building permit approval; ongoing.
Responsible Agency: Mono County Public Works and Building Departments; CCO.

VR-15 Areas disturbed during the construction of roads shall be revegetated as soon as possible following completion of the roads in compliance with the landscaping and revegetation requirements in the NRC policies (TC Policy 6).

Implementation Timing: At time of grading permit approval.
Responsible Agency: Mono County Public Works Departments.

APPENDIX F RIMROCK RANCH SPECIFIC PLAN REVISED POLICIES

This appendix contains the revised text of the Rimrock Ranch Specific Plan policies which serve as mitigation for project impacts. Deletions are indicated by ~~strikethrough~~ print; additions are indicated by **bold and underlined** print.

PROJECT GOAL[4]

Provide rural residential separate parcels (including access and utilities) for construction of a custom-designed single-family residence on each parcel.

LAND USE

Objective: Establish a low density, single-family development with provision for an open space and wildlife corridor.

Policy 1: Designate the approximately 100-acres owned by the Department of Fish and Game as Open Space/Natural Habitat Protection (OS/NHP). Permitted uses shall be limited to undisturbed natural uses.

Policy 2; Designate the approximately 80-acres intended for subdivision (APN 64-100-33) as Estate Residential (ER) with a 2 acre minimum lot size (see Figure 6, Land Use Map) (2 acre minimum lot size--Wheeler Crest Area Plan, Objective A, Action 1.1).

Policy 3: Permitted uses for the Estate Residential (ER) designation include the following:

a. One single-family residence per parcel.

b. One detached Guesthouse per parcel in compliance with Mono County Zoning and Development Code requirements (MCZDC 19.01.560). The Guesthouse shall not contain any kitchen or cooking facilities (C.C. & R's).

c. Detached secondary residences shall not be permitted (C.C. & R's).

d. Accessory buildings and uses customarily incidental to single family residential use, when located on the same lot and constructed simultaneously with or subsequent to the main building, e.g. garages, barns, stables.

e. Small domestic animals (e.g. dogs, cats, rabbits) in compliance with the Mono County Zoning and Development Code animal standards (19.03.270) (C.C. & R's).

f. Horses and other large animals (i.e. ~~sheep, llama~~, cattle and other grazing animals) in compliance with the Mono County Zoning and Development Code animal standards (C.C. & R's). **Sheep, goats, and llamas are not permitted.**

[4] Policies which are also included in the C.C.& R's for the project are followed by the notation (C.C.&R's). Policies which are suggested as mitigation in the Rimrock Ranch Specific Plan Deer Study are followed by the notation (Taylor, 1993). Policies specifically required by policies in the Wheeler Crest Area Plan are followed by the notation (Wheeler Crest Area Plan, Policy #).

Policy 4: Site development standards for the Estate Residential (ER) land use designation shall be as follows:

a. Site disturbance: Permanent clearing of native vegetation for structures, landscaping, gardens, animal enclosures, and driveways shall be limited to twenty (20) percent of total lot area. Areas temporarily cleared for utility line construction, leach field or septic tank construction, well drilling operations or other temporary surface disturbances shall be revegetated as soon as possible in compliance with the revegetation standards in Natural Resource Conservation Policies 10 and 11 of this Specific Plan. On lots smaller than five (5) acres, an additional ten (10) percent of the total lot area may be cleared or otherwise utilized for livestock pens or corrals. The remainder of the parcel shall remain in its natural condition (C.C. & R's and Taylor, 1993).

b. Building Setbacks: 50 feet front, 50 feet side and 50 feet rear. No exceptions shall be allowed.

c. Minimum Building Size: 1,600 square feet on the ground floor. A garage may not be considered part of the main structure for the purposes of achieving the minimum square footage (C.C. & R's).

d. Lot coverage: 20 percent maximum.

e. Parking: Each residence shall provide, at a minimum, a covered two-car garage. The garage shall be constructed simultaneously with the main structure (Mono County Circulation Element, Wheeler Crest Policies, Action 3.1)(C.C. & R's).

f. Building height shall not exceed 22 feet, determined by adding the heights of each of the four corners of the building above the natural grade and dividing by four (C.C. & R's).

g. Design requirements: See Design Guidelines policies.

h. Fencing: See Design Guidelines policies.

Policy 5: No further subdivision of any lot shall be permitted.

Policy 6: Within the approximately 80-acres proposed for subdivision, open space shall be provided as follows (see Figure 4, Open Space Plan):

a. Large required setbacks (50 feet on all sides) will create 100-foot-wide development-free corridors along property boundaries.
b. A required 30-foot setback from the top of the bank of onsite perennial drainages will maintain open space along those drainages [Natural Resource Conservation Policy 15 and Mono County Zoning and Development Code 19.03.130 (7)(b)].
c. Certain areas of riparian vegetation adjacent to onsite drainages, which have been identified by the project biologist as desirable for wildlife habitat, will be preserved with open space easements.

Open space easements for the areas identified above and shown on Figure 4 shall be recorded on the final maps for the appropriate phase(s) of the project. The final maps shall note that permitted land uses within the open space easements shall be limited to undisturbed natural uses.

INFRASTRUCTURE (UTILITIES AND SERVICES)

Objective: Provide for the development of adequate facilities and services to serve the proposed development in a timely manner.

Policy 1: Each lot in the subdivision shall be connected to the water supply system.

Policy 2: Prior to approval of the final Tract Map(s), the project proponents shall provide the County with a "will-serve" letter from the Wheeler Crest Community Services District (CSD), indicating that the CSD has adequate water capacity to serve the proposed project.

Policy 3: The project shall provide a calculated fire flow of 500 gallons per minute (gpm) at 20 pounds per square inch (psi) residual pressure for a duration of two hours at fire hydrants installed throughout the project. Prior to approval of the final Tract Map(s), the project proponents shall provide the County with a "will serve" letter from the Wheeler Crest Fire Protection District (FPD) indicating the District's approval of the project's compliance with this requirement and indicating approval of the final map(s).

Policy 4: All utility lines (electricity, telephone, cable TV) shall be installed underground in compliance with Mono County Zoning and Development Code requirements [MCZDC 19.03.070 (E)]. The project shall not have streetlights.

Policy 5: Solid waste removal shall be the responsibility of individual parcel owners.

Policy 6: Individual propane tanks may be installed on each parcel. Propane tanks shall be shielded to reduce visual impacts as specified by the Design Guidelines policies of this Specific Plan.

Policy 7: Individual septic systems shall be utilized. The design and construction of septic systems shall comply with the "Criteria for Individual Waste Disposal Systems" in the Water Quality Control Plan for the Lahontan Region (Basin Plan) and the requirements of the Mono County Health Department.

The Health Department will require an engineered sewage disposal system with supporting percolation tests for each lot prior to lot development. In areas where the depth to bedrock is 8 feet or more with suitable soils and acceptable percolation tests, conventional leach fields will be utilized. In areas where the depth to bedrock is 8 feet of soil or less or where percolation tests are not acceptable, sand filter pressure dosing systems may be utilized. Depending on the results of percolation tests, neither conventional or sand filter pressure dosing systems may be suitable. Those lots may require a package treatment or a common leach field system on another lot with suitable soils.

Policy 8: A maintenance district shall be created by the developer of the project to inspect and test all non-conventional sewage disposal systems annually and provide a report to the Mono County Health Department. Lots involved shall incur the costs of the inspection.

DESIGN GUIDELINES

Objective: Minimize the project's potential environmental impacts.

Policy 1: Site disturbance shall be limited by implementation of the site disturbance restrictions contained in the Land Use policies of this Plan.

Policy 2: Exterior lighting on individual lots shall be designed and maintained to minimize the effects of lighting on the surrounding environment. Exterior lighting shall be limited to that necessary for health and safety purposes; high-intensity outdoor lighting shall be avoided or adequately shielded; the source of lighting must be concealed on all exterior lighting, and all lighting must be designed to confine light rays to the premises of each individual lot. In no event shall a lighting device be placed or directed so as to permit light to fall upon a public street, adjacent lot, or adjacent land area. Lights which could potentially illuminate the deer habitat on the DFG parcel shall be prohibited (i.e. on Specific Plan lots 1-9, and 35).

Policy 3: Siting and design of roadways, driveways and structures shall minimize cut and fill.

Policy 4: Structures and fences shall be designed and constructed to harmonize with existing development in the area, the surrounding natural environment, and onsite topography (C.C. & R's). The following design guidelines shall apply to all development:

a. Structural siting and design should be sensitive to the topography of individual lots.

b. Roofing shall be ~~fire-safe wood shingles~~, fiberglass shingles or metal in colors compatible with the area (e.g. tan, brown, dark green, or similar colors).

c. Bright colors or reflective materials shall not be used for any component of any structure.

d. Siding materials shall have a natural appearance compatible with the surrounding environment. The use of indigenous rock shall be encouraged.

e. Siding materials shall be stained, painted or otherwise finished in muted earth tones in order to blend into the surrounding environment.

f. Colors and materials for fences shall be muted and shall blend with the surrounding natural environment.

Policy 5: Architectural plans for any structure (e.g. dwelling unit, garage, barn, etc.) shall be reviewed and approved by the Wheeler Crest Design Review Committee prior to approval of the building permit (C.C. & R's).

Policy 6: The total fenced area on any parcel shall be limited to the total area disturbed onsite as allowed under Land Use Policy 3a above. Fencing shall be three-strand ~~barbed-wire~~ or three-rail pipe or wood fence. Solid wood fencing may be constructed within the immediate vicinity of a structure but shall encompass an area not greater than 1 acre (C.C. & R's and Taylor, 1993).

Policy 7: ~~Barbed wire~~ fences shall consist of 3single-strand wires placed 20, 30 and 42 inches from the ground. ~~with the bottom~~ All wire shall be smooth strand (Taylor, 1993).

Policy 8: Fencing used for livestock facilities (corrals, etc.) shall incorporate the use of poles, piping or other non-wire materials to allow deer safe passage (Taylor, 1993).

Policy 9: Each parcel shall be landscaped in accordance with the landscaping guidelines in Design Guidelines Policy 10 within six (6) months of the issuance of a Mono County Certificate of Occupancy for a dwelling unit on a parcel.

Policy 10: The following landscaping guidelines shall apply to all development:

a. Landscaping shall be used to minimize potential visual impacts resulting from development and to provide vegetative screening ~~around structures~~ to reduce deer avoidance of developed areas (C.C.&R's and Taylor, 1993). Screening cover should be planted in a minimum 20-foot-wide band ~~around each residential site~~ along property boundaries and established deer use areas (see the Amended Deer Use Maps, Appendix B of the FEIR), consisting of an inner strip of indigenous trees and an outer dense strip of ~~native~~ indigenous shrubs.

b. The following elements shall be shielded using landscaping: trash receptacles, propane tanks, and structures. Trash receptacles and propane tanks may also be shielded with fencing.

c. Xeriscape landscaping (drought-resistant planting, soil preparation and low-water-use irrigation systems, etc.) shall be required (Wheeler Crest Area Plan, Objective G, Action 1.3). Drip irrigation systems shall be encouraged.

d. Use of native, indigenous species shall be required (Wheeler Crest Area Plan, Objective G, Action 1.3).

e. The use of larger planting stock is encouraged to accelerate the process of visual screening (Taylor, 1993).

Fast-growing tree species which work well as screening cover and provide migrating and holdover deer with additional forage include the following (Taylor, 1993):

Trees which require large amounts of water to survive and which may not be compatible with the xeriscape requirement in item b above include:
Poplars (*Populas* sp.)
Alders (*Alnus* sp.)
Willow (*Salix* sp.)

Trees which require less water but which are slower growing include:
Jeffrey pine (*Pinus jeffreyi*)
Single leaf pinyon pine (*Pinus monophylla*)
Western juniper (*Juniperus occidentalis*)

f. Young plants shall be protected from deer and rodents until they are established; e.g., a 5 foot wire fence or vexar tubing have been found to work well to protect seedlings from deer (Taylor, 1993).

NATURAL RESOURCE CONSERVATION

Objective: Conserve natural resources onsite to the greatest extent possible.

Policy 1: Parcel grading operations, structural foundation work, framing work and similar heavy construction activities shall be restricted to the period between May 15 and October 1 to minimize disturbance to migrating and wintering deer. This restriction shall not apply to emergency repair work (C.C. & R's and Taylor, 1993). Emergency repair work shall be defined as that necessary to ensure public health and safety (e.g. water and sewer repair work, power repair work, emergency road clearing activities, etc.).

Policy 2: Construction shall be limited to daylight hours in accordance with Mono County Code Chapter 10.16 (Noise Regulation) in order to minimize impacts to nocturnal resident wildlife species, such as mule deer (Taylor, 1993).

Policy 3: Impediments to deer movement, such as spoil piles, open ditches and excessive cut and fill slopes should be minimized to the greatest extent possible; e.g. ditches or trenches should not be left open at night as they can be hazardous to deer and other nocturnal wildlife (Taylor, 1993).

Policy 4: With the exception of wells, septic systems, and fire-safe storage facilities, surface disturbance activities such as residential development, corrals, fencing and raising crops shall be prohibited outside private yard fenced areas (Taylor, 1993).

Policy 5: Domestic animals shall be restrained at all times, either through the use of leashes or private fenced areas. No animals shall be allowed to be free roaming. Horses and other grazing animals shall be penned or tethered in areas such that the native vegetation is not impacted by such animals in accordance with the site disturbance limits established in Land Use Policy 3a (C.C. & R's and Taylor, 1993)

Policy 6: Dogs belonging to individuals involved in construction activities shall be prohibited in the project area during construction phases (Taylor, 1993).

Policy 7: Dust generated during construction shall be controlled through watering or other acceptable measures.

Policy 8: Noise levels during construction shall be kept to a minimum by equipping all onsite equipment with noise attenuation devices and by compliance with all requirements of Mono County Code Chapter 10.16 (Noise Regulation).

Policy 9: Property owners shall refrain from clearing native vegetation, except as necessary for construction (C.C. & R's and Taylor, 1993).

Policy 10: Erosion control measures on disturbed areas shall include the use of netting or similar erosion control materials, the removal, stockpiling, and replacement of topsoil, and revegetation with a native seed mix and/or native plants.

Policy 11: Revegetation of disturbed areas shall occur as soon as possible following construction and shall require the use of native seeds, native plants grown from seeds or seedlings obtained from local native stock. Revegetated areas shall be

monitored for a period of five years to ensure the success of the project and shall be replanted if necessary. Revegetated areas shall be irrigated as necessary to establish the plants.

Policy 12: All woodburning devices installed in the project shall be Phase II EPA certified, in conformance with the Mono County General Plan (Conservation/Open Space Element, Public Health and Safety policies, Objective A, Action 6.1).

Policy 13: Design and construction of roadways, driveways and structures shall comply with all requirements of Mono County Code 13.08 (Land Clearing, Earthwork, and Drainage Facilities) and the Lahontan Regional Water Quality Control Board (including requirements for NPDES Stormwater Permits if applicable).

Policy 14: The project proponent shall stop work and notify appropriate agencies and officials if archaeological evidence is encountered during earthwork activities. No disturbance of an archaeological site shall be permitted until such time as the applicant hires a qualified consultant and an appropriate report is filed with the County Planning Department which identifies acceptable site mitigation measures.

Policy 15: All development shall be set back at least 30 feet from the top of the bank of onsite perennial drainages in compliance with Mono County Zoning and Development Code Section 19.03.130 (7)(b) and Land Use Policy 6.

Policy 16: The following mitigation and monitoring program shall be implemented to ensure that possible impacts to the groundwater resource in the surrounding area that are measurable and attributable to the operation of Wheeler Crest Community Services District (WCCSD) Well No. 4 are avoided. This mitigation and monitoring program is taken from the Water Resource Assessment, Rimrock Ranch Specific Plan, 1999.

a. With developer funding, the WCCSD shall take quarterly water level (static) readings in each of its wells. If permission can be obtained and access to the well is reasonable, the groundwater level in all other wells in the area should be measured annually. These data shall be maintained by the WCCSD with copies forwarded annually to the Mono County Health Department.

b. With developer funding, the WCSSD shall develop estimates of the elevation of the measuring point of each well where data are collected. This information should be developed within 5 years from the initiation of operation of WCCSD No. 4 and collection of depth to water data. This will ensure that future analyses are based on accurate estimates of groundwater elevation as well as depth to water.

c. Pumping amounts shall be recorded monthly in WCCSD wells and reported annually to Mono County. The number of service connections shall be accurately recorded and included in the reporting forms. Pumping amounts from domestic wells may be estimated, if necessary, in the future, based on these data.

d. Because the potential for impact is considered low, pumping rotation or pumping limitations are not required as part of this mitigation and monitoring program.

e. WCCSD No. 3 shall be used as a monitoring well and shall act as a "trigger" well. The "trigger" shall be based on a water level decline more severe than the predicted decline under the worst-case scenario presented in the Water Resource

Assessment, Rimrock Ranch Specific Plan, 1999, i.e.: if the water level in WCCSD No. 3 drops more than five (5) feet after one (1) year of operation of WCCSD No. 4 ~~after the project is fully developed~~, all collected data shall be analyzed to evaluate the potential for impact to other wells. The objective of the evaluation would be to update and enhance the evaluation in the Water Resource Assessment, Rimrock Ranch Specific Plan, 1999, using the additional data.

This "trigger" is designed as an early warning system. The Water Resource Assessment notes that "... even if this drawdown [more than 5 feet in1 year] occurred in a well less than 20 feet away from the pumping well after one year, it is highly unlikely that any significant impacts would be realized in other wells located further away after one year" (Team Engineering, p. 22).

Policy 17: The project shall comply with the Fire-safe Regulations (Mono County Code 19.26; Land Use Element, Land Development Regulations Chapter 22) pertaining to emergency access; signing and building numbering; emergency water supplies; and vegetation modification (see also Infrastructure Policy 3 pertaining to emergency water supplies; Design Guidelines Policy 10 pertaining to landscaping and vegetation modification; and Traffic Policy 3 pertaining to fire-safe standards for roadway construction).

TRAFFIC AND CIRCULATION

Objective: Provide a safe and efficient circulation system.

Policy 1: All roads shall be constructed to County Roadway standards, with a 60 foot wide right-of-way and 26 foot wide paved traffic lanes.

Policy 2: Road grades shall not exceed nine (9) percent without the approval of the Mono County Department of Public Works.

Policy 3: Roadways shall be designed and constructed to comply with the Fire-safe Standards (Mono County Zoning and Development Code, Chapter 19.26).

Policy 4: A Zone of Benefit district shall be created by the developer along newly accepted County roads in order to pay for road maintenance and snow removal.

Policy 5: Adequate snow storage areas shall be provided.

Policy 6: Areas disturbed during the construction of roads shall be revegetated as soon as possible following completion of the roads in compliance with the landscaping and revegetation requirements in the NRC policies.

Policy 7: To minimize direct mortality impacts to the deer herd from vehicle collisions, signs shall be posted along roads within the project area warning drivers of the presence of deer (Taylor, 1993).

Policy 8: Driveways shall be designed to minimize grades so that year-round access is assured and on-street parking is avoided (Mono County Circulation Element, Wheeler Crest policies, Action 3.1)

PHASING

Objective: Develop the project in a manner that addresses infrastructure availability and Subdivision Map Act requirements.

Policy 1: The Rimrock Ranch Specific Plan shall be developed in the following phases:

Phase 1 Lots 1-4, 16, 33, 34	(Tentative Tract Map 37-45)
Phase 2 Lots 17-21, 27-32	(Tentative Tract Map 37-47, Phase 1)
Phase 3 Lots 22-26	(Tentative Tract Map 37-47, Phase 2)
Phase 4 Lots 5-15, 35	(Tentative Tract Map 37-49)

Each phase shall be subject to State and County subdivision requirements. Minor adjustments to these phases may be approved by the Planning Director.

Policy 2: Prior to the development of each project phase, a final tract map shall be approved for that phase.

Policy 3: All infrastructure (roads, utilities, water) and associated landscaping and revegetation shall be available or in the process of being constructed prior to development of each project phase.

Policy 4: Prior to the development of each project phase, the Rimrock Ranch Specific Plan shall be reviewed to ensure that the Plan's provisions remain adequate. If necessary, the Plan shall be amended. The Plan shall be reviewed annually and may be reviewed more often, at the discretion of the Planning Department. Minor amendments to the Plan may be processed through the Director Review Process, in accordance with the Mono County Code.