

**ROCK CREEK RANCH
SPECIFIC PLAN AND FINAL EIR**



**SECTION 1
INTRODUCTION AND SUMMARY**
State Clearinghouse #2004012014

**ROCK CREEK RANCH
SPECIFIC PLAN AND FINAL PROGRAM EIR**



**SECTION 1
INTRODUCTION AND SUMMARY**
State Clearinghouse #2005011110

INTRODUCTION

In keeping with the California Environmental Quality Act (CEQA), the administrative record for this Specific Plan and Final Environmental Impact Report (FEIR) for the proposed Rock Creek Ranch project consists of the following elements:

- The Specific Plan and Draft EIR
- Written comments received on the Specific Plan and Draft EIR,
- Responses to the comments received,
- The Final EIR Mitigation Monitoring and Reporting Program, and
- A Notice of Determination

The Draft EIR was distributed on 18 July 2008 for review by various agencies, groups and the general public. By the close of the Draft EIR review period, which ended on 5 September 2007, formal comment letters had been received from five reviewing agencies and entities. Table 1 below provides a summary overview of the written comments received.

**Table 1
SUMMARY OF WRITTEN COMMENTS
ON THE ROCK CREEK RANCH DRAFT EIR**

NO.	SOURCE	SUMMARY OF POINTS RAISED IN COMMENT LETTER
1	Dean Hornbacher	<ul style="list-style-type: none">■ Indicates opposition to the project based on anticipated significant unavoidable adverse impacts on mule deer habitat.
2	Native American Heritage Commission	<ul style="list-style-type: none">■ Notes that projects with significant effects on historical resources would be subject to compliance requirements including CEQA review and mitigation where required, though avoidance is recommended where feasible.
3	Joanne Schneider¹	<ul style="list-style-type: none">■ Notes that a Statement of Overriding Considerations would be required for project approval due to significant unavoidable adverse project effects.■ Seeks information about alternative migration corridors that may be used by mule deer if the project is developed.■ Believes that impacts of the package wastewater treatment plant may be significant and unavoidable due to potential failure or improper maintenance or operation; strongly recommends that funding sources be specified now, and that a Community Services District be established under county oversight to assume responsibility for system operation and maintenance.■ Notes that the Lahontan Regional Water Quality Control Board will set effluent limits but <i>not</i> regulate design or construction of the treatment plant.■ Notes that seasonal occupancy variations may impact treatment plant efficacy and reliability; requests that these effects be evaluated in the EIR.■ Requests that data be provided to indicate expected effluent performance criteria for coliform bacteria.

¹ Note: Ms. Schneider is a program manager with the Santa Ana Regional Water Quality Control Board.

		<ul style="list-style-type: none"> ▪ Notes that operational difficulties may compromise performance of the UV disinfection system; requests information about the operational experience of the package treatment plant provided with this type of system. ▪ Requests discussion of proposed methods for treatment and disposal of solids, and associated environmental effects. ▪ Compliance with Calif. nondegradation standards would require a water quality analysis, and requests that such an analysis be provided as part of this EIR. ▪ Requests that the EIR more clearly indicate which requirements would be enforced through CC&Rs, which would be enforced by the County, and which would be enforced through other mechanisms.
<p style="text-align: center;">4</p>	<p>Lahontan Regional Water Quality Control Board</p>	<ul style="list-style-type: none"> ▪ Permit requirements include: (a) §401 or Waste Discharge Requirements (WDR) for discharge of dredge & fill materials; (b) §402 storm water permit (including a Stormwater Pollution Prevention Plan, a NPDES General Construction Stormwater Permit) for land disturbance; (c) WDR for discharges (including wastewater discharges) that may affect waters of the state; and (d) Water Reclamation Requirements to discharge recycled water on the project site. ▪ Provides correct citation for the <i>Basin Plan</i> (i.e., <i>Water Quality Control Plan for the Lahontan Region</i>) and notes that the project must comply with all applicable standards, prohibitions and provisions of the <i>Plan</i>. ▪ Impacts to surface waters and drainages must be avoided to the extent feasible. ▪ Best Management Practices (BMPs) to reduce pollutants must be identified and incorporated into the EIR. ▪ To minimize nonpoint source pollutants, recommends use of 'low Impact Development' practices including reduced impervious cover, retention of natural landscaping and drainages and managing runoff close to the source. ▪ The EIR should provide on- and offsite stormwater management strategies with illustrations of proposed stormwater control measures. ▪ The Water Board considers package wastewater treatment viable only where community sewer systems are unavailable and soils unsuited to septic systems; proposals are evaluated on a case-by-case basis. ▪ Water quality impacts of a package system must be evaluated in the form of an antidegradation analysis. ▪ Package systems require daily oversight by a state-certified operator. ▪ Package plant performance must be assessed in terms of seasonal changes in temperature and precipitation rates, and results presented in the EIR. ▪ The <i>Basin Plan</i> requires that Package Plants be owned or controlled by a public agency or private entity with adequate resources to guarantee all aspects of management. The EIR must demonstrate that these conditions have been met. ▪ The package system must comply with all applicable elements of the <i>Basin Plan</i> and Title 22 and may be subject to adoption of water reclamation requirements. ▪ Consultation with Water Board staff is recommended.
<p style="text-align: center;">5</p>	<p>Tim Rudolph</p>	<ul style="list-style-type: none"> ▪ The Soils Report (Appendix D) is out of date and should be updated to reflect 2007 California Building Code (CBC) standards. ▪ Recommends the storm drain system be designed to handle flushing flows from the water system. ▪ The drainage system should provide an overland flow path for runoff volumes during times when the dry wells are full. ▪ Impacts of a seismic event on water supply reliability need to be evaluated. ▪ The project engineers should assess whether the 4-degree tilt of the proposed water well would impact reliability of the water supply. ▪ The capacity of the proposed water tank does not meet requirements of the newly adopted 2007 California Fire Code (1000 gpm for 2 hours for homes less than 3,600 sq. ft.); the deviation from Code must be explained. ▪ Recommends that the wastewater storage pond include a double liner, an under-drain system, and monitoring wells. ▪ The irrigated fields may attract migrating deer; how would this be mitigated? ▪ Asks why recycled supply is not proposed for irrigation of private residential lots. ▪ Recommends that granny units not be restricted to a few lots, and states that affordable lots or units would better meet workforce housing needs.

NEW INFORMATION AND CHANGES ADDED BY THE LEAD AGENCY SINCE THE DRAFT EIR WAS RELEASED

In reviewing the Mitigation Program outlined in §10 of the Draft EIR, the County noted that Measure AES 5.12-5 is an informational item that does not provide any mitigative elements. Accordingly, Mitigation Measure AES 5.12-5 (shown below) has been deleted from the Mitigation Monitoring & Reporting Program:

"AES 5.12-5 - AESTHETIC DESIGN ELEMENTS: *The Rock Creek Ranch Specific Plan requires use of materials, colors and design elements for all structures (including solar panels) that will minimize the potential for glare. These requirements would reduce potential light and glare impacts to less than significant levels, and no supplemental mitigation is required.*

Additionally, with respect to the design, construction and operation of the wastewater treatment system the project applicant has submitted a request to Mono County for creation of a Community Service Area (CSA) that would assume responsibility for the wastewater treatment system. This request is consistent with comments received from the Lahontan Regional Water Quality Control Board (LRWQCB) as well as a private citizen (Joanne Schneider) who has long worked with the Santa Ana Regional Water Quality Control Board. The Mono County Public Works Department has indicated that it is reluctant to enter into such an agreement at this time due to other obligations. However, the applicant (C&L Development) has indicated that it will work with the LRWQCB and with the County to ensure that operation and oversight are adequate to provide the long-term reliability that is required for such a system. This may take the form of a County-operated CSA if the County determines that this is feasible, or a private CSA created by the applicant, or through a long-term agreement with Santeac that includes all necessary funding and legal commitments. The program will meet all applicable standards and permit requirements of the LRWQCB, the California Department of Health Services and the County Department of Public Works.

CHANGES OR MODIFICATIONS RESULTING FROM AGENCY AND PUBLIC REVIEW

As a result of comments received, information contained in the EIR has been modified to include one new mitigation measure. As shown below, the measure requires drainage improvements for overland flows that exceed the capacity of proposed dry well improvements. The new measure is described below.

- 1. Overland drainage flow path:** In response to a comment received from Tim Rudolph concerning runoff volumes that exceed the capacity of proposed onsite dry wells, a new mitigation measure has been incorporated into the Mitigation Monitoring and Reporting Program, as outlined below:

MITIGATION WQ 5.1-6 (Drainage System): *The drainage system for Rock Creek Ranch shall be designed to provide an overland flow path for runoff volumes and flushing flow discharges that exceed the 20-year storm design capacity of the dry wells. The overland flow path will intercept and direct such flows to retention/detention systems in locations where runoff collects under current conditions.*

Mitigation Measure WQ 5.1-6 has been incorporated into the final Mitigation Monitoring and Reporting Program, as shown in Section 3 of this Final EIR.

SUMMARY OF SIGNIFICANT ADVERSE IMPACTS

Results of the analyses contained in this Draft EIR indicate that approval and implementation of the proposed Rock Creek Ranch project would have potentially significant and unavoidable adverse direct and cumulative environmental impacts on the following resources:

- Critical mule deer habitat
- Mule deer movement along a regional migration corridor of which the project is a part
- Visual quality and visual unity of views from Lower Rock Creek Road, some points along the Highway 395 scenic corridor, and portions of the community of Paradise

Therefore, the County of Mono would be required by CEQA to adopt a Statement of Overriding Considerations in order to approve the proposed Rock Creek Ranch Specific Plan and Tentative Map project.

CLOSING DISCUSSION

None of the changes incorporated in response to comments on the Draft Program EIR, as outlined above, represents 'significant new information' (as defined in Section 15088.5 of the CEQA Guidelines) that would require recirculation of the Draft EIR. Furthermore, none of the comments received on the Draft EIR or

responses thereto modify the conclusions contained in the Draft EIR. Project approval would require the Mono County Board of Supervisors to approve and implement a total of 40 mitigation measures developed as part of the current EIR.

FINAL EIR CONTENTS

In addition to the Draft EIR (provided under separate cover), this FEIR includes the following sections:

- Section 1: Introduction and Summary (this section)
- Section 2: Comments on the Draft EIR, and Responses to Comments
- Section 3: Final Mitigation Monitoring and Reporting Program
- Section 4: Notices of Determination

**ROCK CREEK RANCH
SPECIFIC PLAN AND FINAL EIR**



**SECTION 2
COMMENTS AND RESPONSES**
State Clearinghouse #2004012014

**ROCK CREEK RANCH
SPECIFIC PLAN AND FINAL EIR**



**SECTION 2
COMMENTS AND RESPONSES**

State Clearinghouse #2004012014

This section provides copies of comments received on the Draft EIR and Specific Plan for the proposed Rock Creek Ranch project, as well as responses prepared to address the issues raised in each comment letter. Comments and responses are presented in the following order:

- #1 Dean Hornbacher**
- #2 Native American Heritage Commission**
- #3 Joanne Schneider**
- #4 Lahontan Regional Water Quality Control Board**
- #5 Tim Rudolph**

From: Dean Hornbacher [mailto:dhornbacher@hawthornecat.com]
Sent: Monday, August 04, 2008 6:47 AM
To: sandra@bpesinc.com
Subject: Comments on DEIR for Rock Creek Ranch

To whom it may concern:

I am a property owner in Paradise. I bought this vacant lot several years ago with the hope of building a retirement home on it. One of the major aspects of this area that attracted us is the wild animal life that is present in the area. When seeing that the Rock Creek Ranch will have "significant adverse impacts" on the mule deer habitat I was appalled! I think this alone should cause the government of Mono county to stop this development from going forward. I am not an environmentalist but just a concerned person. This area should be kept as rustic and natural as possible. If the Paradise development was done today it should be stopped. It is too late to do anything now about Paradise now, but it is not too late to stop any further major intrusion into the natural habitat of the area. Development for the purpose of helping the growth of wealth of some individuals is not a good enough reason to destroy the ecosystem of a species that has been developed over thousands of years.

Regards,

Dean Hornbacher
18728 Hermosa st.
Riverside, CA 92508
951-780-9332

(Fax) 858-613-7610

#1

Response to correspondence from Dean Hornbacher. Comment letter dated 4 August 2008.

Mr. Hornbacher's comments concerning the significant adverse impacts on mule deer habitat associated with project development are noted and will be considered by the County Board of Supervisors as part of their review and decision-making on this project. As discussed in Draft EIR §5.5 (Land Use), the land uses proposed for Rock Creek Ranch are substantially compatible with the land uses envisioned in the 1993 Mono County *General Plan*. The *General Plan* designates the site for Estate Residential Uses with an allowed development density of 1 unit per acre. The potentially significant impacts on mule deer habitat therefore originate with the *General Plan*, and were acknowledged as such in the Mono County 1993 *General Plan Update Final EIR* (SCH#91032012). Final EIR §V, the Summary of Unavoidable Significant Environmental Effects, includes the following discussion:

"Impacts to Wildlife Habitat: Future development would have significant unavoidable impacts on wildlife habitat. Development would result in the loss or alteration of wildlife habitat and increased disturbance of wildlife activities from increased human use of the area. The General Plan contains policies that limit development in wetlands and riparian areas, as well as policies to protect significant habitat areas, such as deer migration corridors and holding areas. Even with these General Plan policies, the cumulative loss of wildlife habitat through conversion to urban uses is an unavoidable significant impact."

Technically, it may have been acceptable to incorporate the discussion contained in the 1993 Final EIR by reference into the current EIR. However, the project involves a General Plan Amendment and because other projects have been proposed or implemented that may not have been considered in the General Plan Final EIR. For these reasons, the Rock Creek Ranch EIR included an updated assessment of impacts on critical resources, with additional mitigation measures that will reduce impacts on these resources, though not below the threshold of significance. In this context, the impacts on mule deer habitat associated with Rock Creek Ranch do not represent 'new' cumulative impacts but were instead envisioned as part of General Plan implementation, including the required findings and statements of overriding consideration.

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
 SACRAMENTO, CA 95814
 (916) 653-6251
 Fax (916) 657-5390
 Web Site www.nahc.ca.gov
 e-mail: ds_nahc@pacbell.net



RECEIVED
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 MONO COUNTY
 COMMUNITY DEVELOPMENT

August 5, 2008

Mr. Larry Johnston, Project Planner
MONO COUNTY PLANNING DEPARTMENT
 437 Old Mammoth Road; P.O. Box 347
 Mammoth Lakes, CA 93546

Re: SCH#2004012014: CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the Rock Creek Ranch Specific Plan; Community of Paradise; Mono County, California

Dear Mr. Johnston:

The Native American Heritage Commission (NAHC) is the state agency designated to protect California's Native American Cultural Resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c) (CEQA guidelines). Section 15382 of the 2007 CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

- √ Contact the appropriate California Historic Resources Information Center (CHRIS) for possible 'recorded sites' in locations where the development will or might occur. Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916/653-7278)/ <http://www.ohp.parks.ca.gov>. The record search will determine:
 - If a part or the entire APE has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded in or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- √ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- √ Contact the Native American Heritage Commission (NAHC) for:
 - * A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity that may have additional cultural resource information. Please provide this office with the following citation format to assist with the Sacred Lands File search request: USGS 7.5-minute quadrangle citation with name, township, range and section.
 - The NAHC advises the use of Native American Monitors, also, when professional archaeologists or the equivalent are employed by project proponents, in order to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact (APE). In some cases, the existence of a Native American cultural resources may be known only to a local tribe(s).
- √ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - A culturally-affiliated Native American tribe may be the only source of information about a Sacred Site/Native American cultural resource.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.

√ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.

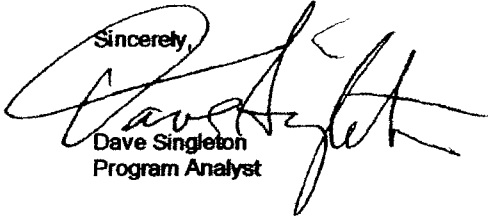
* CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.

√ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. . Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.

√ Lead agencies should consider avoidance, as defined in §15370 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,



Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Cc: State Clearinghouse

**Native American Contacts
Mono County
August 5, 2008**

Benton Paiute Reservation
Mike Keller, Chairperson
Star Route 4, Box 56-A Paiute
Benton , CA 93512
numic@qnet.com
(760) 933-2321
(760)933-2412

Big Pine Band of Owens Valley THPO
Bill Helmer, Tribal Historic Preservation Officer
P.O. Box 700 Paiute
Big Pine , CA 93513
amargosa@aol.com
(760) 938-2003
(760) 938-2942 fax

Big Pine Band of Owens Valley
David Moose, Chairperson
P. O. Box 700 Owens Valley Paiute
Big Pine , CA 93513
bigpinetribaladmin@earthlink.
(760) 938-2003
(760) 938-2942-FAX

Bishop Paiute Tribe THPO
Theresa Stone-Yanez
50 Tu Su Lane Paiute - Shoshone
Bishop , CA 93514
(760) 873-3584, Ext 250
(760) 397-8146 -cell
(760) 873-4143 - FAX

Bridgeport Paiute Indian Colony
Charlotte Baker, Chairperson
P.O. Box 37 Paiute
Bridgeport , CA 93517
bicgovadm@yahoo.com
(760) 932-7083
(760) 932-7846 Fax

KutzadikaA Indian Community Cultural Presv. Assn.
Raymond Andrews, Chairman
P.O. Box 591 Paiute
Bishop , CA 93515
(760) 873-8145

Mono Lake Indian Community
Charlotte Lange, Chairperson
P.O. Box 117 Mono
Big Pine , CA 93513 Northern Paiute
(760) 938-1190

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2004012014; cEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the Rock Creek Ranch Specific Plan; Community of Paradise; Mono County, California.

#2

Response to correspondence from Dave Singleton, Program Analyst, Native American Heritage Commission. Comment letter dated 5 August 2008.

The County acknowledges the comments offered by the Native American Heritage Commission (NAHC). The County has complied with applicable NAHC requirements by conducting a records search and archaeological survey to determine whether cultural resources are present on the site and evaluate potential impacts associated with the Rock Creek Ranch proposal. Results of the records search indicated that 4 surveys have been conducted within a 1-mile radius of the site, one of which included a small part of the subject property. The prior investigations identified 6 prehistoric sites in the survey area, including one with evidence of substantial habitation. Additionally, two historic sites were found but no sites were recorded in the project area. The field survey was conducted in April 2004 under good conditions. Four isolated occurrences of cultural material were found during the site survey, but no archaeological sites were encountered. The isolates do not meet CEQA or regional criteria for important, significant or unique resources. Results of the records search and site survey indicate that no cultural sites have been encountered on the site or recorded in the project area, and isolated cultural materials uncovered during the site survey did not meet significance criteria. The findings indicate that the project would not have potential to impact significant cultural resources, and no mitigation is required.

September 1, 2008

Mono County Community Development Department
c/o Sandra Bauer
220 Commerce
Suite 230
Irvine, CA 92602

RE: Rock Creek Ranch Specific Plan and Draft Environmental Impact Report

This is to provide comments on the Rock Creek Ranch Specific Plan and Draft Environmental Impact Report (DEIR) (SCH#2004012014). My sister and I are homeowners in the existing Paradise community and my sisters reside there. A number of the comments that follow proceed from my more than 25 years of experience as an Environmental Program Manager for the California Regional Water Quality Control Board, Santa Ana Region, with responsibilities that include Basin Planning, review of requests for approval of the use of septic tank-subsurface disposal systems, regulation of wastewater treatment facilities (via NPDES permits and Waste Discharge Requirements) and review of CEQA documents.

At the outset, I wish to acknowledge the evident effort to consider the impacts of the proposed project and possible alternatives and to include modifications (including site design modifications) designed to address identified impacts. That said, I believe that there are a number of areas of concern that remain and that these must be addressed before approval of the project is considered.

1. The DEIR finds, correctly, that the project, if implemented, would have potentially significant and unavoidable direct and cumulative adverse environmental impacts on critical mule deer habitat and migration, aesthetic values in the existing Paradise community, and visual impacts from Lower Rock Creek Road and some portions of the Highway 395 Scenic Corridor. The finding of significant, unavoidable adverse environmental impacts necessitates that Mono County, as the lead agency, adopt a statement of overriding considerations before the EIR can be certified. It is disturbing that this requirement is not discussed or described in the DEIR as part of the proposed actions/decisions needed (Sec. 1.3 and 1.7). Rather, reference to this requirement is only listed in certain tables (Tables 5.5-4, Policy 1; Table 5.12-1, Policy 1; Table 5.12-2, Policy 1). While I appreciate that it is not the purpose or responsibility of the DEIR to provide this statement explicitly, I believe that it would be prudent and appropriate, as a matter of public disclosure and of clarity, to include discussion of the need for the adoption of the statement of overriding considerations. References to any parts of the DEIR that may support such findings would be useful. It will be of great

- Discharge of dredge and fill materials
 - Clean Water Act (CWA) §401 water quality certification for federal waters; or Waste Discharge Requirements for non-federal waters.
- Land disturbance
 - CWA §402(p) storm water permit, to include the development of a Stormwater Pollution Prevention Plan and a National Pollutant Discharge Elimination System (NPDES) General Construction Stormwater Permit and/or a NPDES General Industrial Stormwater Permit.
- Package wastewater treatment plant
 - Waste Discharge Requirements for discharges that may affect groundwater quality and other waters of the State, including operation of the proposed package wastewater treatment plant, and other proposed project activities.
- Use of recycled/reclaimed water
 - Water Reclamation Requirements to discharge recycled water on the project site.

Information regarding these permits, including application forms, can be downloaded from the Water Board's web site (<http://www.waterboards.ca.gov/lahontan/>). If the project is not subject to federal requirements, activities that involve fill or alteration of surface waters, including drainage channels, may still be subject to state permitting.

Basin Plan

The SWRCB and Water Boards regulate discharges in order to protect water quality and, ultimately, beneficial uses of waters of the State. The Water Quality Control Plan for the Lahontan Region (Basin Plan) provides guidance regarding water quality and how the Water Board may regulate activities that have the potential to affect water quality within the region. The Basin Plan includes prohibitions, water quality standards, and policies for implementation of standards. The current Basin Plan was adopted by the Water Board in 1994 and has since been amended several times; the last amendment was adopted in July 2005. The Basin Plan can be accessed via the Water Board's web site (http://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/references.shtml).

The DEIR incorrectly cites the Basin Plan as "*Water Quality Control Plan for the Lahontan Region, North and South Basins (October 1994)*". The correct citation should read "*Water Quality Control Plan for the Lahontan Region (1994, amended 2005)*". Subsequent amendments since 1994 have changed various components of the Basin Plan, and those amendments need to be incorporated into the final environmental document, as appropriate. For instance, the beneficial uses of Rock Creek as listed on page 5.1-2 of the DEIR are incomplete and should also include commercial and sportfishing (COMM) uses as designated in the current Basin Plan. The Water Board requires that the final

environmental document cite reference to the current Basin Plan (1994, amended 2005), and that the project complies with all applicable water quality standards, prohibitions, and provisions of this Basin Plan.

Potential Impacts to Waters of the State and Waters of the U.S.

The project area includes marked (blue line) and unmarked surface waters that are either waters of the U.S. or waters of the State. Surface waters include, but are not limited to, drainages, streams, washes, ponds, pools, or wetlands, and may be permanent or intermittent. Waters of the State may include waters determined to be isolated or otherwise non-jurisdictional by the U.S. Army Corps of Engineers (USACE).

The DEIR does not provide specific information regarding impacts to surface water. The environmental document needs to quantify these impacts and discuss the purpose of the project, need for surface water disturbance, and alternatives (avoidance, minimize disturbances, and mitigation). We request that measures be incorporated into the project to avoid surface waters and provide buffer zones where possible. If the proposed project impacts and alters drainages, then we request that the project be designed such that it would maintain existing hydrologic features and patterns to the extent feasible. The project proponent must consult with the USACE, the Department of Fish and Game, and the Water Board prior to issuing a grading permit.

Best management practices (BMPs) are used to reduce pollutants in runoff to waters of the State. The environmental document must specifically describe BMPs and their role in mitigation of project impacts. Keep in mind that mitigation must protect functions and values, and that measures must be identified and discussed in the environmental document including timing of construction. For more information, see the Basin Plan, which can be accessed via the Water Board's web site (http://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/references.shtml).

Low Impact Development Strategies and Storm Water Control

The DEIR does not specifically identify features for the post-construction period that will control storm water on-site or prevent pollutants from non-point sources from entering and degrading surface or groundwaters. The foremost method of reducing impacts to watersheds from urban development is "Low Impact Development" (LID), the goals of which are to maintain a landscape functionally equivalent to predevelopment hydrologic conditions and to minimize generation of non-point source pollutants. LID results in less surface runoff and potentially less impacts to receiving waters, the principles of which include:

- Maintaining natural drainage paths and landscape features to slow and filter runoff and maximize groundwater recharge;
- Reducing the impervious cover created by development and the associated transportation network; and,
- Managing runoff as close to the source as possible.

from seasonal changes in temperature and precipitation rates be evaluated and project alternatives and/or mitigation measures to prevent such impacts be included in the final environmental document.

Our Basin Plan states that package treatment plants should be owned or controlled by a public agency or a private entity with adequate financial and legal resources to assume full responsibility for the inspection, monitoring, maintenance, and eventual decommissioning/reclamation of the system. The owner is ultimately legally and administratively responsible for the performance of the treatment plant. The DEIR did not adequately demonstrate that a homeowners association would qualify under these stringent conditions of ownership.

Please be advised that any approved package treatment plant system will need to comply with all applicable sections of Title 22 CCR and the Basin Plan. In addition, the discharge of recycled water is subject to the submittal of a report of waste discharge, and may require the adoption of water reclamation requirements (WRRs) from the Water Board. Guidance regarding how the Water Board may regulate package treatment plant systems and the discharge of recycled water is contained in Chapter 4 of the Basin Plan (http://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/references.shtml).

Closing

We recommend that the project applicant and/or lead agency consult with Water Board staff to discuss potential project impacts, including avoidance and mitigation measures. Early consultation is recommended, since modification of the proposed project may be required to avoid or reduce impacts to hydrology and water quality.

Thank you for the opportunity to comment on your project. If you have any questions regarding this letter, please contact me at (760) 241-7325 or Patrice Copeland, Senior Engineering Geologist, at (760) 241-7404 (pcopeland@waterboards.ca.gov).

Sincerely,

Mike Plaziak, PG
Supervising Engineering Geologist

cc: Jan M. Zimmerman, Engineering Geologist, RWQCB, VWL
Patrice Copeland, Senior Engineering Geologist, RWQCB, VWL

JZ\rc\U:\Draft_CEQA Review\COMMENTS_Rock Creek_Mono County.doc

Response to correspondence from Lahontan Regional Water Quality Control Board. Comment letter dated 9 September 2007.

- 1. PERMITS:** Information provided concerning the list of discharges and activities and the associated permits that may be required for this project is incorporated by reference. As outlined in the Lahontan Regional Water Quality Control Board correspondence, these include:

ACTIVITY	ASSOCIATED PERMITTING
Discharge of dredge and fill materials	Clean Water Act (CWA) §401 Water Quality Certification for federal waters; or Waste Discharge Requirements for non-federal waters.
Land disturbance	CWA §402(p) storm water permit, to include development of a Stormwater Pollution Prevention Plan and a National Pollutant Discharge Elimination System (NPDES) General Construction Stormwater Permit and/or a NPDES General Industrial Stormwater Permit.
Package wastewater treatment plant	Waste Discharge Requirements for discharges that may affect groundwater quality and other waters of the state, including operation of the proposed package wastewater treatment plant and other proposed project activities.
Use of recycled/reclaimed water	Water Reclamation Requirements to discharge recycled water on the project site.

- 2. BASIN PLAN CITATION:** Information provided concerning the proper citation for the Basin Plan is appreciated, and incorporated by reference as part of the Final EIR to read as follows: *Water Quality Control Plan for the Lahontan Region* (1994, amended 2005).

- 3 & 4. IMPACTS TO WATERS OF THE STATE AND LOW-IMPACT DEVELOPMENT:** As noted by LRWQCB the project area includes Rock Creek, is a marked blue line stream that flows through the northwestern-most portion of the site. The creek and adjoining slope is designated in the Specific Plan as open space, and no development or site modifications are proposed in this area.

In developing BMPs to address impacts to surface water, there are 7 broad water quality parameters to consider: total suspended solids (sediment, particulates, filterable residues), nutrients (nitrogen and phosphorus), biological and chemical oxygen demand (BOD and COD, which deplete dissolved oxygen through decomposing organic matter), trace metals (copper, lead, cadmium and zinc), oil and grease (hydrocarbons and associated compounds), bacteria and elevated temperatures, and pesticides and herbicides. Within this group, suspended solids are widely considered to play a key role in urban runoff, because of their wide range of adverse effects. They serve as effective binding agencies and thereby host the transport of other contaminants (particularly heavy metals) downstream; they block light penetration and increase turbidity, thereby interfering with spawning and juvenile fish rearing activities; they hasten the infilling of impoundments, alter substrate configurations, and impact visual and aesthetic values. In developing areas, the primary source of suspended solids is construction activity on construction sites. Total suspended solids levels normally drop substantially in developed areas, where urban highway runoff and streambank erosion become key sources. Suspended solids are responsive to a wide range of BMPs including detention/retention basins, infiltration, clarifiers and (for larger particles) street sweeping.

The main sources of BOD/COD include open areas (due to animal wastes and other organics), older residential areas with large pet populations, outdated sewers, and urban highways. COD and BOD are most successfully treated with infiltration BMPs, especially where sizes for 2-year or higher return flows.

Nutrients are directly associated with growth of biota in natural water systems; phosphorus is generally the controlling nutrient in freshwater runoff, and nitrogen is more predominant in highway runoff (generally in

organic form and closely associated with particulates). At elevated levels, nutrients 'over-fertilize' and stimulate algal growths that ultimately deplete oxygen reserves and block sunlight needed for submerged aquatic growth. By products include odors, reduced aesthetic values, and reduced fishery values. Sewage discharges are recognized as a significant non-point source of nutrient runoff, along with atmospheric fallout from urban highways, animal wastes, fertilizers, landfill leachates and other sources. Automotive source controls have been effective at reducing atmospheric fallout; other BMPs include detention basins, landscaping controls, public education, and street sweeping (more effective for phosphorus than nitrogen).

Metals occur in the environment through natural weathering of soils and minerals, and many act as beneficial micronutrients. Three metals (lead, copper and zinc) are found widely in urban environments, and associated with toxic effects on biota as well as contamination of drinking waters in sole source aquifers. A large fraction of metals (up to 50%) bind to suspended solids and thereby accumulative in sediment deposits. For this reason, metals are responsive to the same BMPs identified for suspended solids (detention/sedimentation basins, clarifiers, infiltration and street sweeping); automotive source controls have been highly effective at reducing environmental lead concentrations.

Oil and grease are present in street runoff as a wide range of hydrocarbon compounds, generally lighter than water and recognizable as a film on water surfaces where they contribute to depletion of oxygen levels; some compounds are toxic to aquatic life. Like metals, oil and grease have an affinity for suspended solids and tend to accumulate in bottom sediments where they impact benthic organisms. Vehicles, lubricating agents and fuels are major sources, along with restaurant grease traps. Oil and grease respond to a wide range of BMPs including filters, separators, and the BMPs identified above for sediments.

Non-point source runoff almost always contains microbial concentrations in excess of public health standards. The significance of elevated bacterial counts is a subject of some dispute, but at high levels bacteria and viruses can necessitate aggressive public health intervention. Bacterial growth is strongly correlated with temperature, and the primary sources of microbes in urban runoff include animal excrement and sanitary sewer overflows. Pesticides and herbicides generally enter runoff from agricultural and landscaped areas. These chemicals resist breakdown and often form secondary compounds that are toxic to mammals. Most are insoluble in water but will form solutions with fatty substances found in organic material which contributes to their concentration in phytoplankton and subsequent consumption by fish and larger organisms. Source controls are most effective at reducing these contaminants, including restricted use, use of less toxic materials, and use of integrated pest management systems.

The table below summarizes the efficacy of selected BMPs in removing most of the pollutants described above for point-source discharges such as would occur during construction and operation of subregional facilities. As indicated, infiltration is a superior BMP that performs well in removing most categories of pollutants but may not be suitable in all soils. Other options provide lower pollutant removal efficacy but may be more adaptable to space limitations and more responsive to a variety of soils.

COMPARATIVE EFFECTIVENESS OF POINT-OF-DISCHARGE BMPs¹

CONTAMINANT	DRY PONDS	WET PONDS	INFILTRATION	FILTER STRIP	SWEEPING
Sediment	80-90%	50-70%	100%	10-30%	>50%
Nitrogen	40%	20-40%	60-70%	<10%	>50%
Phosphorus	40-50%	20-60%	60-80%	<10%	>50%
Organics	40-50%	30-40%	90%	NA	>50%
Lead	>90%	60-70%	90-100%	10-30%	>50%
Zinc	30-50%	50%	90-100%	10-30%	>50%
Bacteria	NA	NA	90-100%	NA	<50%
Hydrocarbons	60-70%	NA	NA	NA	<50%

The Rock Creek Ranch design incorporates a number of elements that will minimize changes to the pre-development hydrology of this site and thereby protect water quality. Most significant of these design features are (a) the clustering of roads and buildings and the establishment of building (and grading) envelopes, which will leave almost half of the site as open space; (b) the requirement that landscaping consist of plant materials that are native to the Mono County region and compatible nonnative species (see measure BOT 5.2-2a); (c) design of the dry retention wells to capture the first inch of runoff during a 20-year storm event, and (d) use of swales to direct all off-site drainage around the site perimeter in order to maintain historic

¹ Sources: Metropolitan Washington Council of Governemnts, Controlling Urban Runoff: A Practical Manual for Planning and Designing Urban BMPs, July 1987; and "Water Quality Issues: Storm Runoff Pollutants," by Sandra Bauer, included as a chapter in a U.C. Davis extension course publication on storm runoff water quality and BMPs, 1994; and (for street sweeping data) Camp, Dresser McKee, Municipal Best Management Practices Handbook, March 1993.

flow patterns and channels, with energy dissipaters to retard flows greater than 5 feet per second. These measures will optimize infiltration (which is the most effective BMP category for the widest range of pollutants, as shown in the Table above) and will also minimize the volume of precipitation that is converted to surface runoff, while reducing first flush contamination from storm flow runoff.

In combination with the Best Management Practices outlined in mitigation measure 5.1-4a² and the soil conservation requirements outlined in measure 5.1-4b,³ these design features will provide an effective suite of on- and off-site storm water management strategies for both the pre- and post-construction project phases, as requested by the LRWQCB. More over, these features emphasize source controls (as opposed to treatment), and avoid use of vegetation and treatment BMPs, consistent with recommendations contained in the *Water Quality Control Plan for the Lahontan Region* (Chapter 4, Stormwater Control Measures).

- 4. LOW IMPACT DEVELOPMENT:** The proposed Rock Creek Ranch design incorporates a number of elements that will minimize changes to the pre-development hydrology of this site. Most significant of these are (a) the clustering of roads and buildings and the establishment of building (and grading) envelopes; (b) the requirement that landscaping consist of plant materials that are native to the Mono County region (see measure BOT 5.2-2a); (c) design of the dry retention wells to capture the first inch of runoff during a 20-year storm event, and (d) use of swales to direct all off-site drainage around the site perimeter in order to maintain historic flow patterns and channels, with energy dissipaters to retard flows greater than 5 feet per second. These measures will optimize infiltration and minimize the volume of precipitation that is converted to surface runoff, while reducing first flush contamination from storm flow runoff. In combination with the Best Management Practices outlined in the new mitigation measure 5.1-7 above, these design features will provide an effective suite of on- and off-site storm water management strategies for both the pre- and post-construction project phases, as requested by the LRWQCB. The onsite storm water control measures are shown in Draft EIR Exhibit 3-5.

5. WASTEWATER TREATMENT

The LRWQCB has noted that package treatment plants may be viable in areas that lack community sewer systems and are unsuitable for septic systems, and has also affirmed that such proposals will be evaluated on a case-by-case basis. Although effluent performance has not been for Rock Creek Ranch, the Draft EIR does outline in §5.8 the effluent quality associated with a tertiary treatment system designed by Santeq Corporation for a residential project in Flagstaff, Arizona at an elevation of 7,500' (the project site is about 5,000' in elevation). The table below compares these data with the Water Quality Objectives identified in the *Basin Plan* for Lower Rock Creek in Round Valley:

Anticipated Effluent Performance Criteria and Water Quality Objectives⁴

Constituent	Influent Average (mg/l)	Effluent Average (mg/l)	Water Quality Objectives
Biological Oxygen Demand	357.2	6.3	9.5(6.5) ⁵
Total Suspended Solids	406.0	5.7	48/70
Total Kjeldahl Nitrogen (TKN)	48.7	1.3	NA
Nitrate-Nitrite	0.2	2.1	0.4/0.5
Total Nitrogen (calculated)	48.7	4.9	0.6/0.7

² *WO 5.1-4a (BMPs)*: A Best Management Practices Program (BMPP) shall be implemented during all construction stages, including pre-construction and post-construction practices for stormwater management and for the prevention of erosion, sedimentation, and contamination resulting implementation of all project elements. BMPP measures shall at a minimum include: (1) disposal of all construction wastes in designated areas outside the path of storm water flows; (2) minimizing the footprint of construction zones and prompt installation of erosion controls; (3) stabilizing disturbed soils with landscaping, paving or reseeded to reduce or eliminate the risk of further erosion; (4) perimeter drainage controls to direct runoff around disturbed construction areas; (5) internal erosion controls to allow direct percolation of sediment-laden waters on the construction site; and (6) regular inspection and maintenance of all equipment used during construction. The project shall also comply with the requirement to obtain a General Construction Stormwater Permit, and prepare a Stormwater Pollution Prevention Plan.

³ *GEO 5.1-4b (Soil Conservation)*: A soil conservation plan shall be prepared and incorporated into the CC&Rs as a requirement for each individual lot at the time of the grading permit application to provide for the conservation of soil resources and the control and prevention of soil erosion associated with landscaping activities and the use of trails and open space areas within and adjacent to the project site.

⁴ Effluent performance criteria covered the period from August 2003 through October 2004 and were provided by Santeq Corporation (29 February 2008). The Water Quality Objectives are drawn from the *Basin Plan*, Chapter 3 (Water Quality Objectives), Table 3-17 (Water Quality Objectives for Certain Water Bodies, Owens Hydrologic Unit). Water Quality Objectives are expressed as annual average value over 90th percentile value.

⁵ Note that this value is the 7-day mean ambient dissolved oxygen concentration for water bodies with the beneficial use classifications of coldwater and spawning habitat, both of which apply to Rock Creek.

As noted in the response to Comment Letter #3 from Joanne Schneider, the project engineers have provided additional information in response to the issues raised in this comment. The information provided by THA includes an assessment by Sierra Geotechnical Services, Inc. (SGSI) of surface discharge and groundwater interaction. Correspondence from THA and SGSI was provided at the close of the response to comment letter #3, and is again summarized herein. Groundwater at the site was not encountered for a depth of over 500 feet, but rose to a 350-foot depth following well drilling operations. This indicates that the aquifer is confined by an impermeable layer of rock. This confining layer would prevent recycled water from reaching the groundwater, and thereby preclude groundwater degradation.

With respect to surface water, the project engineers note that degradation can be avoided by intercepting all recycled water runoff in irrigated areas of the site. This will be accomplished by grading an interceptor drainage swale along the downgradient edge of the irrigated areas. The swale will flow into a retention basin or pond that will be sized to intercept the volume of runoff generated by a 100-year storm event. This design will prevent recycled water from slowing into surface waters and thereby preclude surface water degradation.

SGSI further notes that the probability of interaction between surface water discharge and the domestic water supply is extremely improbable since such interaction would require the infiltrating recycled supply to travel at least 500' vertically through the Bishop tuff to the potable aquifer, which is confined.

The Draft EIR includes two mitigation measures designed to ensure that the package treatment system does not generate unacceptable odors. Mitigation Measure AQ 5.10-5a requires that a secondary carbon filtration system must be incorporated into the tertiary package sanitation system (and maintained over time) to remove and treat odors resulting from the treatment process and ensure that objectionable odors are not released into the atmosphere, and Measure AQ 5.10-5b requires that a standby aeration system be kept in the maintenance building for use in the event that stagnant conditions develop in the tertiary water staging pond.

As noted in response to comment 3b from Joanne Schneider (comment letter #3), the proposed wastewater treatment plant design incorporates several features to accommodate seasonal and fluctuating flows including oversized equalization tanks (to meter weekend flows out over the remainder of the week), pump controls that would provide constant feed rates down to 3 gallons per minute, and the ability to maintain a consistent biological load on the aeration process by varying the volume of aeration in use.

To moderate seasonal temperature variations, the proposed treatment system will be constructed below grade in fiberglass tanks. The system will also be totally enclosed, which will minimize the impact of precipitation. The ground-heat exchange through the fiberglass tanks minimizes the variation in mixed liquor temperatures and has proven successful for Santec projects in Glacier Bay, Alaska as well as Yuma, Arizona.

The LRWQCB notes that package treatment plants should be owned or controlled by a public agency or private entity with adequate financial and legal resources to assume full responsibility for inspection, monitoring, maintenance and eventually decommissioning of the system, and states that there is insufficient evidence that the Rock Creek Ranch Homeowners' Association would qualify under the stringent conditions of ownership. The applicant has submitted a request to Mono County for creation of a Community Service Area (CSA) that would assume full responsibility for inspection, monitoring, maintenance and eventual decommissioning of the wastewater treatment system. The Mono County Public Works Department has thus far indicated that it is reluctant to enter into such an agreement due to other obligations. However, the applicant has indicated that it will work with the LRWQCB and with the County to ensure that operation and oversight are adequate to provide the long-term reliability that is required for such a system. This may take the form of a County-operated CSA, or an independent CSA created by the applicant, or through a long-term agreement with Santec. The management plan will meet all applicable standards and permit requirements of the regional board including adequate financial and legal resources to assume the full range of responsibilities noted above.

We acknowledge with appreciation the information provided concerning required compliance with all applicable sections of Title 22 and the *Basin Plan*, as well as the requirement to submit a report of water discharge and the possible requirement for adoption of water reclamation requirements by the Water Board. The referenced guidelines for Water Board regulation of package treatment plant systems, as outlined in Chapter 4 of the *Basin Plan*, are directly applicable to this project. The elements are summarized below along with a statement of how this project would comply:

- *Design should be based on peak daily flow estimates. A flow equalization chamber at the headworks may be appropriate for some applications so as not to overload the treatment capacity of the plant:* project design will incorporate all Waste Discharge permit requirements outlined by LRWQCB, including a flow equalization chamber if found appropriate.

- *Measures to control odor and/or eliminate nearby odor receptors must be included in the design and proposal:* as noted above, the project will include a secondary carbon filtration system and a standby aeration system for the water staging pond.
- *Package plants must include adequate storage and/or treatment area for waste sludge, and proposed sludge disposal measures must be included in the project plan:* The proposed wastewater treatment plant includes an aerated sludge holding tank for further reduction of biological solids, and residual solids would be removed from the sludge holding tank by a sludge hauler with final disposal similar to septage.
- *Package plants should contain duplicate equipment components for components subject to failure. If equipment is not on-site, the manufacturer should have the ability to provide replacement equipment to the operator so that a replacement component can be installed within forty-eight hours of failure:* project design will incorporate all permit requirements outlined by LRWQCB, including duplicate equipment components and readily available replacement equipment if the equipment is located offsite.
- *Package treatment plants which rely on soil absorption for treatment and/or disposal of any of the wastewater generated will be required to meet the criteria established for individual waste disposal systems applicable to soil absorption and ground water protection (soils, depth to ground water, slope of disposal field):* the proposed project design includes consideration of the capacity of onsite soils and slopes to determine soil absorption and groundwater protection requirements.
- *Effluent from package treatment plants must meet all current Regional Board criteria. In addition, to be used for reclamation purposes, it must meet all current regulations of the LRWQCB and the Dept. of Health Services regarding reclamation of wastewater:* effluent will meet all applicable Regional Board criteria as well as current regulations of the LRWQCB and the Department of Health Services.

Rock Creek Ranch EIR Comments
Mono County Planning Dept.

RECEIVED

SEP 08 2008

MONO COUNTY
COMMUNITY DEVELOPMENT

August 30, 2008

Appendix D- Soils Report

1. The soils report is out of date now that the building code has changed. Needs to be updated to the 2007 California Building Code requirements. Seismic zones 1-4 no longer exist.

Appendix E -Hydrology

1. The storm drain system should be designed to handle water system flushing flows from the water distribution system. Minimum flushing flows of 2.5fps to 5 fps from the distribution pipes with a volume sufficient to flush the pipes should be accommodated by the storm drain system.
2. The storm drainage system is designed for a 25 year event – due to the nature of the drainage system – into dry wells- the drainage system needs to provide for a larger event overland flow path safely off the hillside for when the dry wells are full. No such flow path seems evident.

Appendix F –Water System

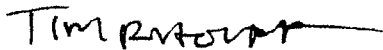
1. The reliability of the water well after a seismic event is not addressed. This is a concern due to the voids and drilling thru the Bishop Tuft to the underlying aquifer. Is the well expected to survive a design seismic event (defined by the 2007 California Building Code)
2. The tilt of the new well is only addressed by the well driller statement that the 4 degree tilt (95 ft out of plumb) is no problem. This seems to be not a very reliable source for accepting a critical part of the infrastructure. The engineers on the project should address the issue directly.
3. The County has adopted the 2007 California Fire Code – the water tank size fails to meet table 5.3-1 in that the fire flow requirement is 1000gpm for 2 hours for houses less than 3600 sf.. This needs to be explained why the deviation from the fire code.

Appendix K –Wastewater System

1. The wastewater storage pond has only a single liner. Should this not include a under drain system and double liner and monitoring wells be required? Mainly due to the close proximity to the primary domestic water supply. (the 100 ft criteria seems inadequate due to the well depth and contamination potential similar to what happened on Mustang Mesa in Inyo County.
2. Seems like the irrigated fields will unduly attract the deer to the area in migration season. How is this mitigated?
3. Why is treated wastewater not used for irrigation on the housing lots. Using treated water would keep from having to pump potable water for irrigation saving money and wear.

The restriction against granny units on all the properties except on a few properties – in order to provide work force housing seems misguided. Nothing indicates that the granny unit is required to be rented for work force housing. If work force housing is desired it should be directly provide or a substrate lot should be offered with conditions.

Please address these questions and comments



Tim Rudolph
115 Eagle Vista
Bishop, CA 93514

Response to correspondence from Tim Rudolph. Comment letter dated 30 August 2008.

- 1. DATE OF GEOTECHNICAL REPORT⁶:** An update to the soils report will be prepared and submitted with the building permit application. The information will provide a basis for designing project structures in accordance with current standards and code requirements. Because the update would not affect the ability to develop the project site, it is not necessary to update the soils report as part of this EIR. The language of the mitigation measure anticipated that final requirements may change as detailed site studies are completed, as indicated in Measure WQ 5.1-5: "**MITIGATION WQ 5.1-5 (Subsequent Geotechnical Review):** Adequate construction review is essential in order to assure the performance of foundation and earthwork. To this end, a qualified engineer shall be retained to review compliance with all specifications outlined in the Preliminary Geotechnical Investigation prepared for Rock Creek Ranch by Sierra Geotechnical Services, Inc. (October 10, 2007)."
- 2. COMMENTS ON HYDROLOGY REPORT:** Flushing of the water system will be at a flow rate lower than the storm drain system design capacity; this will ensure that the storm drain system can accommodate the flushing flows under dry weather conditions.

To accommodate flushing flows when the dry wells are full, a new mitigation measure has been incorporated into the Mitigation Monitoring and Reporting Program. This measure will serve to maintain natural drainage paths and manage runoff as close to the source as possible, as outlined below:

MITIGATION WQ 5.1-6 (Drainage System): *The drainage system for Rock Creek Ranch shall be designed to provide an overland flow path for runoff volumes and flushing flow discharges that exceed the 20-year storm design capacity of the dry wells. The overland flow path will intercept and direct such flows to retention/detention systems in locations where runoff collects under current conditions.*

- 3. COMMENTS ON WATER SYSTEM REPORT:** There are two wells on the system that will be used for water supply. If one of the wells is damaged during a seismic event the other well will provide supply while repairs to the damaged well are made.

With respect to the tilt of the new well, this well has been developed and tested per State requirements including a 72 hour pump test at the maximum anticipated production rate for a significantly longer period of time than the anticipated use during future operation. The pump test was specifically designed to identify potential problems with future operation, including such problems as gravel pack loss or excessive pump vibration. No problems were encountered during the pump test.

In terms of the newly adopted 2007 California Fire Code (1000 gpm for 2 hours for homes less than 3,600 sq. ft.), the 138,000 gallon water tank addressed in the Draft EIR was sized for a fire flow of 500 gpm for a 2 hour duration based on the Paradise Volunteer Fire Protection District requirements at the time the EIR was prepared. The representative tank size for a 212,000 gal. tank is 48 ft in diameter by 16 feet high. If at the time of project design the WCFPD requires the tank be sized for a 1000 gpm fire flow then the tank will be increased to a 286,000 gallon tank which is 55 feet in diameter by 16 feet high.

- 4. COMMENTS ON THE WASTEWATER SYSTEM REPORT:** The project engineers indicate that it is not necessary to include a double liner, underdrain or monitoring because the well draws water from an aquifer that is located over 600 feet below the surface. The aquifer is also confined by an impermeable layer above it as evidenced by the fact that the static water level is 300 feet below the surface after well development. There is therefore no potential contamination of the water supply based on the proximity of the supply well to the storage pond and thus a liner is not needed.

⁶ Appendix D is the May 2004 Preliminary Geotechnical Investigation prepared for the project by Sierra Geotechnical Services, Inc. (updated o October 10, 2007).

The fields are not expected to attract deer during migration, because they will be irrigated only from late fall to mid spring when the park area will not absorb all of the recycled water produced by the project. Therefore this will not interfere with deer migration season

Irrigation of private lots is not contemplated because the amount of recycled water produced will not come close to providing the estimated irrigation needs of the residences. Therefore supplemental water will need to be supplied from the wells. In order to provide both types of water to the residences the well water need to be delivered to the recycled water pumping reservoir, and then pumped out of the reservoir to supply each residence. This would require a costly separate recycled water supply system. Use of recycled supply for residential irrigation would also entail significantly greater power consumption due to the need to pump from the supply reservoir (where well water and recycled supply will be mixed) to the individual lots. Finally, the proposed park will use all recycled water from late spring (middle of April) to the middle of October and thus no recycled water would be available for the residences during the peak irrigation season.

5. **COMMENTS ON GRANNY UNITS:** During 2006 the county adopted an ordinance establishing workforce housing mitigation requirements for most types of new development within the county. For residential development projects, the Ordinance requires that one workforce housing unit be provided for every ten market-rate lots or housing units developed, and requires that the inclusionary units comply with all General Plan criteria governing size, design, and location. Additionally, the Ordinance requires that 20% of the lots be deed-restricted for construction of a secondary ('granny') unit, and applicants are required to pay a fractional fee for partial increments. The analysis contained in EIR §5.5 indicates that the project is generally consistent with the county's adopted workforce housing requirements. The proposed restriction on the number of granny units (which is not required by the Ordinance) is intended to assure that the water and sanitation system infrastructure is adequate to meet the needs of all future residents of Rock Creek Ranch.

**ROCK CREEK RANCH
SPECIFIC PLAN AND FINAL EIR**



**SECTION 3
MITIGATION MONITORING &
REPORTING PROGRAM**

State Clearinghouse #2004012014

ROCK CREEK RANCH SPECIFIC PLAN AND DRAFT EIR



SECTION 3 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

10.1 PURPOSE

This section lists all mitigation measures contained in Draft EIR for the proposed Rock Creek Ranch project. The mitigation measures are provided in the format of a Comprehensive Mitigation Monitoring and Reporting Program. This Program complies with State Public Resources Code §21086.6 which requires public agencies approving a project under CEQA to establish a program for monitoring and reporting on the adopted mitigation plan.

10.2 ADOPTION OF MITIGATION MEASURES

As part of deliberations concerning the proposed project, the Mono County Board of Supervisors will be required to consider adoption of the mitigation measures listed herein. If the Board approves the Rock Creek Ranch project, they will also be required to specify whether these mitigation measures are to be formally incorporated as conditions of project approval.

10.3 MONITORING AND REPORTING PROCEDURES

The Mono County Board of Supervisors will be responsible for ensuring that all adopted mitigation measures are implemented in the manner outlined in this Program. County staff will be responsible for ensuring that mitigation measures are satisfactorily monitored, and for reporting to the Board of Supervisors regarding progress in fulfilling the mitigation obligations. The Board of Supervisors, acting on behalf of the residents of Mono County, will in turn be responsible for considering the reports submitted by staff, and determining whether the measures are being implemented and enforced as intended in this Mitigation Monitoring and Reporting Program. It will be the responsibility of the Board of Supervisors to amend these mitigation measures if necessary to achieve the environmental protections herein.

10.4 REGULATORY AND CODE COMPLIANCE STANDARDS

The project will be subject to a number of uniform code requirements and standard conditions of approval. Many of these requirements have been established to safeguard environmental resources, and/or to promulgate environmental goals and objectives. If the proposed Rock Creek Ranch project is approved, compliance with these uniform regulations will be mandatory (not discretionary). Such regulations do not conform to the strict definition of mitigation. Although regulatory standards and codes are not necessarily incorporated into this mitigation program, the project will of course be required to comply fully with all relevant regulatory and code compliance standards.

10.5 COMPILATION OF MITIGATION MEASURES

The following mitigation measures are proposed to eliminate, avoid, or reduce potential environmental effects of the Rock Creek Ranch project that have been found to be potentially substantial and adverse.

ROCK CREEK RANCH SPECIFIC PLAN AND DRAFT EIR



MITIGATION IMPLEMENTATION AND MONITORING PROGRAM AND FORM

Project Approval Date: _____

Project File Number: _____

The following mitigation measures have been adopted by the County of Mono. As such, these measures represent formal conditions of approval that shall govern implementation of projects undertaken pursuant to the Rock Creek Ranch Specific Plan. The County shall be responsible for monitoring and reporting progress on these measures until all measures are fulfilled in accordance with their original purpose and intent, as determined by the Mono County Community Development Department, Director of Planning. This monitoring form shall be available for public review and inspection, and final project clearance shall require that all verifications included in this form have been satisfactorily completed.

MITIGATION MEASURES		TIMING	VERIFICATION OF COMPLIANCE		
			AGENCY	SIGNATURE	DATE
GEOLOGY AND HYDROLOGY					
WQ 5.1-1a	WELL IMPROVEMENTS: Rock Creek Ranch well improvements shall be undertaken in accordance with recommendations outlined in the <i>Summary of Well Construction Operations Domestic-Supply Water Well No. 2</i> prepared by Richard C. Slade, May 2007.	Well improvements to be undertaken prior to final map approval.			
WQ 5.1-1b	WATER METERS: Individual water meters shall be installed at each residential connection in order to provide for long-term accurate water usage data.	Meters to be installed prior to issuance of final building permit			
WQ 5.1-3	WATER QUALITY: If additional sampling is mandated by DHS, the project engineers recommend that further pumping development be performed prior to that sampling. Further testing for aluminum and iron is also recommended at that time also to determine whether remnant drilling muds were the cause of the slightly excessive detections of these metals.	Additional pumping development (including testing) to be conducted prior to final map approval if required by DHS.			
WQ 5.1-3b	ODORS: Treatment shall be provided to eliminate the light hydrogen sulfide odors that were noted in the pumped discharge during testing of the new well.	Treatment to be provided final building permit.			
WQ 5.1-4a	BMP PROGRAMS: A Best Management Practices Program (BMPP) shall be implemented during all construction stages. The BMPP shall include pre-construction and post-construction practices for stormwater management and for the prevention of erosion, sedimentation, and contamination resulting implementation of all project elements. BMPP measures shall at a minimum include: (1) disposal of all construction wastes in designated areas outside the path of storm water flows; (2) minimizing the footprint of construction zones and prompt installation of erosion controls; (3)	The BMPP to be included with the grading permit.			

	stabilizing disturbed soils with landscaping, paving or reseeded to reduce or eliminate the risk of further erosion; (4) perimeter drainage controls to direct runoff around disturbed construction areas; (5) internal erosion controls to allow direct percolation of sediment-laden waters on the construction site; and (6) bid specifications that require regular inspection and maintenance of all equipment used during construction. The project shall comply with state requirements by preparing a Stormwater Pollution Prevention Plan and obtaining a NPDES General Construction Stormwater Permit for the project construction areas.				
WQ 5.1-4b	SOIL CONSERVATION: The CC&Rs shall require a soil conservation plan for each individual lot at the time of the grading permit application to provide for the conservation of soil resources and the control and prevention of soil erosion associated with landscaping activities and the use of trails and open space areas within and adjacent to the project site.	The soil conservation plan shall be in place for each lot prior to County issuance of a grading permit for that lot.			
WQ 5.1-5	GEOTECHNICAL REVIEW: Adequate construction review is essential in order to assure the performance of foundation and earthwork. To this end, a qualified engineer shall be retained to ensure compliance with all specifications set forth in the <i>Preliminary Geotechnical Investigation prepared for Rock Creek Ranch by Sierra Geotechnical Services, Inc. (October 10, 2007).</i> "	The engineer shall be retained and performing the required tasks before County approval of the final map.			
WQ 5.1-6	OVERLAND FLOWS: The drainage system for Rock Creek Ranch shall be designed to provide an overland flow path for runoff volumes and flushing flow discharges that exceed the 20-year storm design capacity of the dry wells. The overland flow path will intercept and direct flows to locations where runoff collects under current conditions.	The over land flow path design shall be incorporated into design plans prior to final map approval.			

BOTANY

BOT 5.2-2a	LANDSCAPE CONTROLS: Landscaping in Rock Creek Ranch shall comply with the following: a. Landscaping shall consist of plant materials that are native to the Mono County region and have value to native wildlife, and nonnative species that are compatible with native plant materials, have low propagation characteristics and are not invasive; b. A temporary irrigation system shall be provided for irrigation of the common landscape areas. The temporary system shall remain in place until the county finds that supplemental irrigation is no longer required to maintain plant viability, and shall then be removed; c. All landscaping shall be maintained in a neat, clean, and healthy condition. This shall include proper pruning, mowing, weeding, litter removal, fertilizing, replacement, and irrigation as needed; d. During building permit review, each residential lot application shall be accompanied by a detailed landscaping plan that identifies materials to be used for the residential building pad as well as any cut and fill slopes for the residential street; and e. All common open space areas shall be addressed in a detailed landscape plan; the plan shall incorporate intensive buffering for bluff-top areas facing the existing Paradise community and for the open space corridor extending through the residential lots.	The detailed overall project landscape plan shall be submitted to the County and deemed to comply with these requirements prior to final map approval. Individual lot landscape plans shall be submitted prior to issuance of a building permit for each lot.			
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BOT 5.2-2b	WEED ABATEMENT: Open space areas used for spray irrigation with surplus recycled water supply shall be subject to an ongoing landscape control program designed to prevent the establishment of non-native species that could spread to the surrounding environments. Species that will be eradicated upon discovery include any non-native species not established in the open space area prior to project implementation. Weed control will be accomplished to the maximum extent feasible by rotating water spreading applications within the open space area designated as suitable for spray irrigation. Ponding and long-term surface saturation will be avoided to the maximum extent feasible. If populations of new non-native species nevertheless appear, they shall be controlled through mechanical or accepted herbicidal practices.'	The weed abatement program shall be incorporated into the detailed landscape plan and deemed to comply with these requirements prior to final map approval. The Homeowners' Association shall ensure long-term weed abatement compliance.			
WILDLIFE					
WILD 5.3-1a	OPEN SPACE EASEMENTS: Open space easements for all open space areas except for homeowners' recreation area shall be recorded on the final maps for the project. The final maps shall note that permitted land uses within the open space easements shall be limited to undisturbed natural uses and trails (for non-motorized access only, except for emergency purposes) and spray irrigation with surplus tertiary treated effluent from the package sanitation plant, subject to the landscape controls set forth in Mitigation Measure 5.2-2b.	Open space recordation shall occur at the time of final tentative tract map approval by the County.			
WILD 5.3-1b	RETENTION OF NATIVE VEGETATION: (a) For subdivision improvements, natural vegetation shall be designated and retained except where it must be removed for project development; (b) Project CC&Rs shall incorporate the following requirement which mandates that homeowners landscape with native vegetation and prohibits use of invasive plant species for landscaping in order to minimize the degradation of deer habitat: <i>"Areas disturbed during construction shall be revegetated with native species in order to establish deer habitat as soon as possible following construction. Revegetation of disturbed areas 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;"</i> (c) vegetation retention shall be designated on each individual lot landscape plan.	The requirements for native vegetation retention shall be incorporated into the CC&Rs for Rock Creek Ranch as outlined.			
WILD 5.3-1c	NO DOGS DURING CONSTRUCTION: Dogs belonging to construction workers shall be prohibited in the project area during construction.	This requirement shall be included in contractor bid specifications for subdivision improvements & individual lot construction.			
WILD 5.3-1d	LIMITED ON VEGETATION CLEARING: Property owners shall refrain from clearing native vegetation except as necessary for construction or fire safety.	This requirement shall be included in the CC&Rs for Rock Creek Ranch.			
WILD 5.3-1e	PET RESTRAINTS: Domestic animals shall be restrained at all times, either through the use of leashes or private fenced areas. Project CC&Rs	This requirement shall be included in the CC&Rs for			

	shall specify that pets shall be under owners control at all times. No domestic animals shall be allowed to be free roaming.	Rock Creek Ranch.			
WILD 5.3-1f	LIMITS ON EXTERIOR NOISE & LIGHTING: To minimize impacts on deer and other wildlife, all exterior lighting and noise in Rock Creek Ranch will comply with the Mono County code requirements.	This requirement shall be included in the Rock Creek Ranch CC&Rs.			
WILD 5.3-4a	DEER SIGNAGE: To minimize direct mortality impacts to deer from vehicle collisions, signs shall be posted along roads within the project area warning drivers of the presence of deer. A 25-mile per hour speed limit shall be enforced on residential streets in the proposed project.	Signs shall be posted prior to issuance of the first occupancy permit; the requirements shall be included in the Rock Creek Ranch CC&Rs.			
WILD 5.3-4b	LIMITS ON CONSTRUCTION TIMING: 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.	The requirement that all grading occur between May 15-October 1 shall be specified in all grading and building permits.			

LAND USE, RELEVANT PLANNING & RECREATION

LU 5.5-1a	LIMIT DEVELOPMENT IN CRITICAL HABITAT AREAS: The Rock Creek Ranch Specific Plan and CC&Rs shall include the following provisions to minimize impacts on critical wildlife habitat: a. Leash laws requiring that pets be leashed at all times when out of doors; b. Prohibition against removal of blackbrush scrub in open space areas except where required for fire safety; c. Informational handouts concerning habitat protection to be provided to homeowners along with CC&Rs; d. Prohibition against recreational off-highway vehicle use in open space areas.	These requirements shall all be included in the Rock Creek Ranch CC&Rs.			
LU 5.5-1b	CONSERVE NATIVE SOILS: As part of the Grading Permit application, the applicant shall prepare a Soil Conservation Plan to protect native soils for use as a plant growth medium. The plan shall require that (a) native soils be stockpiled during construction and used for subsequent revegetation, and (b) stockpiled soils be protected from degradation during the construction and maintained in a condition suitable for reuse.	The soil conservation plan shall be in place for each lot prior to County issuance of a grading permit for that lot.			
LU 5.5-1c	INTEGRATED WATER SERVICES: The project applicant shall annex into Lower Rock Creek Mutual Water Company or water system elements of Rock Creek Ranch shall be integrated with those of LRCMWC to accomplish equivalent public health and safety objectives as outlined in Mitigation Measure UTIL 5.8-3a (requiring two intertie points).	Annexation or integration of water system elements with LRCMWC shall occur prior to final map approval.			

PUBLIC HEALTH AND SAFETY

UTIL	No significant adverse impacts have been identified; no mitigation is proposed.				
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PUBLIC SERVICES AND UTILITIES

UTIL 5.8-1a	FIRE DPT. REVIEW OF TT MAP: A copy of the Tentative Map shall be provided to Paradise FPD for review and comment prior to final approval.	The tentative map shall be provided to Paradise FPD prior to tentative map approval.			
UTIL 5.8-1b	FIRE DPT. REVIEW OF CC&Rs: A copy of the CC&Rs shall be provided to Paradise FPD for review and comment prior to final approval.	The draft CC&Rs shall be provided to Paradise FPD prior to tentative map approval.			
UTIL 5.8-3a	WATER SYSTEM INTERTIE: The Rock Creek Ranch water system shall have at least two points at which an intertie can be accomplished with the existing LRCMWC system for fire flow purposes. One intertie point shall be placed in the vicinity of the existing LRMWC water storage tank, and a second intertie point shall be extended to the western property boundary where the private project road intersects Lower Rock Creek Road.	The interties shall be in place and operational prior to final map approval.			
UTIL 5.8-11	BMP PROGRAMS: A BMP Program shall be implemented during all construction stages with pre-construction and post-construction practices for stormwater management and for the prevention of erosion, sedimentation, and contamination resulting implementation of all project elements. BMPP measures shall at a minimum include: (1) disposal of all construction wastes in designated areas outside the path of storm water flows; (2) minimizing the footprint of construction zones and prompt installation of erosion controls; (3) stabilizing disturbed soils with landscaping, paving or reseeding to reduce or eliminate the risk of further erosion; (4) perimeter drainage controls to direct runoff around disturbed construction areas; (5) internal erosion controls to allow direct percolation of sediment-laden waters on the construction site; and (6) bid specifications that require regular inspection and maintenance of all equipment used during construction. The project shall comply with state requirements by preparing a Stormwater Pollution Prevention Plan and obtaining a NPDES General Construction Stormwater Permit for the project construction areas.	The BMPP to be included with the grading permit.			

TRAFFIC AND CIRCULATION

TFFC 5.9-1a	ROAD CLOSURE RESTRICTIONS: Roadway closures shall not be permitted on any street or highway unless written approval is first obtained from the Public Works Department, Police Department and Fire Department. Where such approvals are granted, all details governing the closures shall be included in the approved traffic control plan (see Mitigation Measure 5.9-1a above).	Compliance with this measure shall be demonstrated prior to County issuance of any permit that would require a road closure for the Rock Creek Ranch project.			
TFFC 5.9-1b	MAINTAIN ROAD CLEARANCE: At all times, adequate clearance shall be maintained within the Lower Rock Creek right-of-way to permit the safe passage of emergency vehicles and evacuating vehicles. Measures to	Compliance with this measure shall be demonstrated prior to			

	ensure emergency access shall be detailed in the approved traffic construction management plans (see Measure TFFC 5.9-1a above).	County issuance of any permit that would require a road closure for the Rock Creek Ranch project.			
AIR QUALITY					
AQ 5.10-1	DUST CONTROL MEASURES: The project applicant shall comply with best-available dust control measures (BACM) that call for watering of all active construction areas at least twice daily throughout project construction phases, plus at least two of the following additional BACM: (a) require that all haul trucks be covered, or that a minimum freeboard of 2 feet be maintained at all times; and/or (b) Pave all parking and staging areas, or water such areas at least 4 times daily; and/or (c) Sweep or wash public access points within 30 minutes of dirt deposition; and/or (d) Cover all on-site dirt/debris stockpiles, or water the stockpiles a minimum of twice daily; and/or (e) Suspend all construction operations on any unpaved surface when winds exceed 25 mph; and/or (f) Hydroseed or otherwise stabilize all cleared areas that would remain inactive for more than 96 hours after clearing is completed; and/or (g) Use of low-VOC ¹ paints (not to exceed 100 grams of VOC per liter).	The dust control measures shall be incorporated into every grading permit and deemed to comply with these requirements prior to final subdivision map approval and final map approval for each individual lot.			
AQ 5.10-2	ENERGY CONSERVATION & LANDSCAPING: The project will contribute incrementally to global GHG emissions implicated in global warming. Use of energy conserving construction practice beyond the minimum requirements of the California Building Code is encouraged through participation in one of several existing certification programs. Use of enhanced landscaping for carbon dioxide uptake is also encouraged, provided such landscaping is consistent with Specific Plan standards and mitigation measures contained in Sections 5.2 (Botany) and 5.3 (Wildlife) of this EIR.	During issuance of grading and building permits, the County shall verify that favorable weighting is given to construction bid specifications that (a) require the use of building materials and methods that minimize air pollution; and (b) require the use of fuel efficient equipment and appliances, and (c) incorporate clean air technologies.			
AQ 5.10-3a	GREENHOUSE GAS EMISSIONS: The Specific Plan will incorporate voluntary energy conserving practices and enhanced landscaping. (Advisory measure).	This measure has been incorporated into the Specific Plan.			
AQ 5.10-3b	REGULATORY COMPLIANCE: The project shall comply with any applicable greenhouse gas emission reduction strategies adopted by the California Air Resources Board or other responsible agencies.	Compliance with this requirement shall be verified by the County concurrent with the issuance of each grading and building permit.			

¹ VOC=volatile organic compounds.

AQ 5.10-4a	ODOR CONTROLS: A secondary carbon filtration system shall be incorporated into the tertiary package sanitation system, and maintained over time, to remove and treat odors resulting from the treatment process and ensure that objectionable odors are not released into the atmosphere.	The County shall verify that the carbon filtration system is in place prior to issuance of the first occupancy permit. Long-term maintenance shall be verified in accordance with monitoring and reporting requirements of LRWQCB.			
AQ 5.10-4b	ODOR CONTROLS: A standby aeration system shall be kept in the maintenance building for use in the event that stagnant conditions develop in the tertiary water staging pond and/or the recreational area ponds.	The County shall verify that the aeration system is in place prior to issuance of the first occupancy permit. Maintenance shall be verified in accordance with monitoring and reporting requirements of LRWQCB.			

NOISE

N 5.11-1a	LIMIT AREAS OF ROCK CRUSHING: Rock breaking and rock crushing activities, if required, shall be restricted to the portion of the site defined by lots 1-4, 8-12, 28-35, and 40-52; crushed rock piles shall be placed west of crushing operations to reduce noise propagation toward existing homes.	The County shall specify these limitations in any grading permit that would cover rock-breaking and/or rock crushing activities.															
N 5.11-1b	NO BLASTING DURING INVERSIONS: Blasting activities shall not be conducted during thermal inversions or period when wind exceeds 25 mph.	The County shall specify these limitations in any grading permit that would cover blasting activities.															
N 5.11-1c	BLASTING PROCEDURES: During blasting, the following procedures shall be followed: (a) Use of surface detonating cords shall be kept to a minimum, (b) all blasts shall be initiated from deep within the blast hole; (c) adequate burden, spacing and stemming shall be maintained on all explosive charges; (d) face heights kept to the minimum practical level; and (e) a delay of 9 ms or greater shall be provided in the timing of blasts from adjacent holes.	The County shall specify these limitations in any grading permit that would cover blasting activities.															
N 5.11-1d	<p>SOUND LIMITS: To avoid structure damage on adjoining properties, the following sound limits recommended by U.S. Bureau of Mines shall be observed:</p> <p align="center">Table 5.11-2 SOUND LEVEL METER SCALE</p> <table border="1" data-bbox="218 1370 1031 1451"> <thead> <tr> <th>LEVEL</th> <th>LINEAR PEAK</th> <th>C-PEAK</th> <th>A-PEAK</th> </tr> </thead> <tbody> <tr> <td>Safe Level</td> <td>128 Db (.007 psi)</td> <td>120 Db</td> <td>95 Db</td> </tr> <tr> <td>Maximum</td> <td>136 Db (.018 psi)</td> <td>130 Db</td> <td>115 Db</td> </tr> </tbody> </table>	LEVEL	LINEAR PEAK	C-PEAK	A-PEAK	Safe Level	128 Db (.007 psi)	120 Db	95 Db	Maximum	136 Db (.018 psi)	130 Db	115 Db	The County shall specify these limitations in any grading permit that would cover blasting activities.			
LEVEL	LINEAR PEAK	C-PEAK	A-PEAK														
Safe Level	128 Db (.007 psi)	120 Db	95 Db														
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**MONO COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
ROCK CREEK RANCH SPECIFIC PLAN AND FINAL EIR**



**NOTICE OF DETERMINATION
State Clearinghouse #2004012014**

TO: State Clearinghouse
Office of Planning & Research
Post Office Box 3044

FROM: Mono County Cmty Devt. Dept.
P.O. Box 347
Mammoth Lakes, CA 93546

SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code §21152

PROJECT TITLE: Rock Creek Ranch Specific Plan and Final EIR

COUNTY CONTACT: Larry Johnston, Assistant Planning Director, 760.924.1806

CONSULTANT: Sandra Bauer, Bauer Planning & Environmental Services, 714.508.2522

LOCATION: The unincorporated community of Paradise in southern Mono County

DESCRIPTION: The project scope encompasses (a) a proposed General Plan Amendment to change the designation of the 54.7-acre site from Estate Residential to Specific Plan, (b) approval of the Specific Plan, (c) approval of Tentative Tract Map 37-56, (d) site improvements including water and power and sanitation facilities, and (e) construction of a total of 60 individual residential lots. All development on the site will be consistent with requirements of the Specific Plan.

This Notice is to advise that the County has approved the proposed Rock Creek Ranch Specific Plan and Development Project, and has made the following determinations regarding the project in its approved form:

1. The project would have a significant adverse effect on the environment.
2. An Environmental Impact Report (EIR) was prepared for the project pursuant to CEQA.
3. Mitigation measures were made a condition of the project.
4. A Statement of Overriding Considerations was adopted for this project.
5. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Final Program EIR, with comments and responses and a record of the project approval, is available to the general public at the Mono County Community Development Department, located in Minaret Mall at 437 Old Mammoth Road, Suite P, in the Town of Mammoth Lakes, California.

Signature: _____

Name & Title: _____

Date Received for Filing and Posting: _____