



RESOLUTION 15- 83

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS
CERTIFYING THE FINAL EIR FOR THE 2015 MONO COUNTY REGIONAL
TRANSPORTATION PLAN, GENERAL PLAN, COUNTYWIDE
INTEGRATED WASTE MANAGEMENT PLAN, AND NOISE ORDINANCE
UPDATES (THE “2015 UPDATES”), APPROVING AND ADOPTING
THE MITIGATION MONITORING AND REPORTING PROGRAM,
ADOPTING THE 2015 UPDATES, AND REPEALING THE CONWAY RANCH SPECIFIC PLAN**

WHEREAS, between 2010 and 2015, the Planning Division of the Community Development Department, Solid Waste Division of the Public Works Department, and the Information Technology Department of Mono County (hereinafter “Staff”) conducted extensive public outreach via the Regional Planning Advisory Committees and the June Lake Citizens Advisory Committee, performed a detailed internal review, and consulted with various agency planning partners and others for the purpose of identifying issues within the Mono County General Plan in need of update or revision; and

WHEREAS, while that effort was ongoing, supporting grant funds were secured to help offset impacts to the general fund, and on January 22, 2013, the Board of Supervisors formally directed Staff to commence preparation of an update to the Mono County General Plan by adoption of Resolution R13-05, initiating what was then referred to as General Plan Amendment 13-1; and

WHEREAS, the County General Plan includes, as part of its Circulation Element, the Mono County Regional Transportation Plan (RTP), and historically has included components of the Countywide Integrated Waste Management Plan (CIWMP) as a part of its Hazardous Waste Management Element; accordingly, these plans were also reviewed and analyzed for potential update; and

WHEREAS, finally, as a part of the review process, a need to update the County’s Noise Ordinance, which is utilized in conjunction with a variety of General Plan policies and actions and applies to projects and activities countywide, as well as to repeal the Conway Ranch Specific Plan (in conjunction with the General Plan update re-designating the property primarily as Open Space), were identified; and

WHEREAS, incorporating the information developed and gathered since 2010, draft updates to the General Plan (including the RTP and the designation of Conway Ranch as primarily Open Space and related repeal of the Specific Plan), the CIWMP (now a completely separate document from the General Plan) and the Noise Ordinance (collectively the “2015 Updates”) were prepared; and

WHEREAS, in accordance with the requirements of the California Environmental Quality Act (CEQA) a Notice of Preparation (NOP) of Environmental Impact Report for the 2015 Updates was released on June 6, 2014; and

WHEREAS, a Draft Environmental Impact Report (Draft EIR) for the 2015 Updates was circulated for a 60-day public review and comment period starting July 31, 2015, and ending September

1 29, 2015, and was provided to the entities and agencies set forth in California Government Code §65352
2 et seq.; and

3 **WHEREAS**, from late August to the end of October of 2015, County Staff conducted 15 publicly
4 noticed meetings/workshops, including three specifically for the Spanish-speaking public, regarding the
5 2015 Updates throughout the county with regional planning advisory committees, agencies, the
6 Collaborative Planning Team, Planning Commission, Local Transportation Commission and the Board of
7 Supervisors; and

8 **WHEREAS**, the County received public comments regarding the 2015 Updates and the Draft EIR,
9 both in written form and at public meetings, which have been addressed and/or responded to in the proposed
10 Final Environmental Impact Report (Final EIR), no request for tribal consultation was made; and

11 **WHEREAS**, on November 12, 2015, the Planning Commission held a duly-noticed public hearing
12 regarding the 2015 Updates and related Final EIR approval and recommended that the Board approve the
13 2015 Updates (with minor modifications noted in the record) and Final EIR; and

14 **WHEREAS**, having reviewed and considered all the information and evidence presented to it,
15 including the recommendation of the Planning Commission, public testimony, written comments, the Final
16 EIR, and staff reports and presentations, the Board of Supervisors now wishes to make required findings,
17 certify the Final EIR for the 2015 Updates, adopt the Mitigation Monitoring and Reporting Program
18 (MMRP) and adopt the 2015 Updates.

19 **NOW, THEREFORE, THE MONO COUNTY BOARD OF SUPERVISORS HEREBY FINDS
20 AND RESOLVES AS FOLLOWS:**

21 **SECTION ONE:** The Board of Supervisors finds that a Final EIR has been prepared for the 2015
22 Updates in compliance with CEQA and that the Final EIR reflects the County's independent judgment
23 and analysis. The Final EIR has been presented to, and reviewed by the Board of Supervisors and is
24 adequate and complete for consideration by the Board in making a decision on the merits of the 2015
25 Updates, including making the findings set forth in **Exhibit A**, which is attached hereto and incorporated
26 by this reference.

27 **SECTION TWO:** The Board of Supervisors hereby: 1) adopts and makes the findings and
28 statement of overriding considerations set forth in **Exhibit A**; 2) finds that the updated Noise Ordinance,
29 the Right To Farm Regulations (Land Use Element [LUE] Chapter 24), and the Parking regulations (LUE
30 Chapter 06) will substantially mitigate noise impacts, agricultural impacts to adjacent properties, and
parking impacts, respectively, when applied to future projects; 3) certifies the Final EIR; and 4) adopts the
Mitigation Monitoring and Reporting Program for the 2015 Updates.

SECTION THREE: The Board of Supervisors further finds that the 2015 Updates, including all
text changes to the Land Use Element of the Mono County General Plan, are consistent with the General
Plan and all applicable area plans and takes the following actions:

- (1) Adopts GPA 15-003 (formerly referred to as GPA 13-1);

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(2) Adopts the 2015 Countywide Integrated Waste Management Plan (which upon adoption, shall supersede the outdated and optional Hazardous Waste Management Element of the General Plan, which is hereby repealed); and

(3) Repeals the Conway Ranch Specific Plan.


PASSED AND ADOPTED THIS 8TH DAY OF DECEMBER 2015, BY THE FOLLOWING VOTE:

AYES: Supervisors Alpers, Corless, Fesko, Johnston & Stump.

NOES: None.

ABSENT: None.


ABSTAIN: None.



Timothy E. Fesko, Chairman

Attest:


Clerk of the Board, **Assistant**

Approved as to form:


County Counsel

**EXHIBIT A
FINDINGS OF FACT AND
STATEMENTS OF OVERRIDING CONSIDERATIONS**

*for the proposed 2015 County of Mono
Regional Transportation Plan, General Plan, Countywide Integrated Waste Management
Plan, and Noise Ordinance Updates; and Repeal of the Conway Ranch Specific Plan*

I. INTRODUCTION

CEQA §15091 requires the Lead Agency to make one or more written findings for each significant effect, along with a brief statement of the rationale for each finding. The possible findings include: (a) Changes or alterations have been incorporated into the project that can avoid or substantially lessen the significant environmental effect as identified in the final Environmental Impact Report (EIR); (b) Such changes are within the responsibility and jurisdiction of another public agency and have or should be adopted by that other agency; (c) Specific economic, legal, social, technological or other considerations make infeasible the mitigation measures or alternatives identified in the EIR. These findings are made in Section VI.

When a Lead Agency approves a project that will result in significant adverse effects that will not be avoided or substantially lessened, the Agency is required to balance the unavoidable environmental risks against the economic, legal, social, technological, or other benefits associated with the project. California Environmental Quality Act (CEQA) §15093(b) states that if the Lead Agency decision-makers find that the benefits outweigh the unavoidable adverse effects, then the adverse effects may be considered to be "acceptable." The process of balancing adverse effects against potential benefits requires Mono County to make written Findings, and to adopt a Statement of Overriding Considerations.

In accordance with §15093 of the CEQA Guidelines Section VII contains a Statement of Overriding Considerations, which explains how the Mono County Board of Supervisors, as the decision-making body of the County, weighed the significant and potentially significant impacts identified in the EIR prepared for the *2015 County of Mono Regional Transportation Plan, General Plan, Countywide Integrated Waste Management Plan, and Noise Ordinance Updates; and Repeal of the Conway Ranch Specific Plan* (herein after *2015 Updates and Repeal of the Conway Ranch Specific Plan*), against the potential benefits associated with the project. A summary table of contents is provided below.

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II. FEIR BACKGROUND AND PROCESS

The *2015 Updates and Repeal of the Conway Ranch Specific Plan Final EIR* culminates a multi-year process to update all of the County's General Plan elements, the Regional Transportation Plan (RTP), three elements of the Countywide Integrated Waste Management Plan, and the Noise Ordinance, and repeal the Conway Ranch Specific Plan. The General Plan and RTP updates, as well as annual reviews, are mandated by state law, which requires every

city and county in California (except Charter cities) to prepare and maintain a planning document called a general plan. The formal EIR process was initiated on 6 June 2014 when the County circulated a Notice of Preparation (NOP) of an EIR. A scoping meeting was held on 19 June 2014, and the NOP review period closed on 11 July 2014. Three written comments were received on the NOP, including letters from the Lahontan Regional Water Quality Control Board, the California Department of Transportation, and the California Department of Parks and Recreation.

Concerns raised in response to the NOP were incorporated into the scope of the Draft EIR analysis. The County subsequently issued the Draft EIR for a 60-day public review and comment period that began on 31 July 2015 and ended on 29 September 2015. The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. By the close of the DEIR review and comment period, the County had received a total of 14 comment letters regarding the *2015 Updates and Repeal of the Conway Ranch Specific Plan* and Draft EIR from public agencies, organizations and members of the public. In accordance with CEQA §15088, a Final EIR was prepared that responded to all written comments received.

III. SIGNIFICANT UNAVOIDABLE ADVERSE EFFECTS OF THE PROJECT

Analyses provided in the EIR indicate that approval and implementation of the *Draft 2015 Updates and Repeal of the Conway Ranch Specific Plan* may result in significant and unavoidable adverse environmental effects including:

- *Impacts to Candidate, Sensitive, Special Status Species*
- *Impacts to Riparian Habitat*
- *Impacts to Federally Protected §404 Wetlands*
- *Interfere with Fish or Wildlife Movement or Migration*
- *Conflict with Local Biological Protection Ordinances*
- *Exposure to Seismic Effects and Unstable Geology*
- *Substantial Soil Erosion*
- *Loss of Mineral Resources*
- *Potential for Release of Hazardous Materials*
- *Inadequate Emergency Response*
- *Exposure to Wildland Fire Risks*
- *Exposure to avalanche, rockfall, storms, volcanism*
- *Impacts to Prehistoric or Historic Resources*
- *Impacts to Paleontological Resources*
- *Impacts to Sacred Lands*
- *Violation of Water Quality Objectives*
- *Violation of Waste Discharge Requirements*
- *Uncertain Availability of Adequate Water Supplies*
- *Erosion and Siltation from Altered Drainage*
- *Impacts on Recreational Facilities*
- *Impacts to Scenic Resources in a State Scenic Highway*
- *Degraded Visual Character or Quality*
- *Create new sources of Light and Glare*
- *Impacts on public fire and utility service*

IV. ADMINISTRATIVE RECORD OF PROCEEDINGS

The Administrative Record serves as the basis on which the Mono County Board of Supervisors determines whether to certify environmental documents and approve or disapprove a proposed project. CEQA Statutes §21167.6(e) defines the contents of Administrative Record to include, as applicable, all of the following materials:

- Project application materials.
- All staff reports and related documents with respect to CEQA compliance and the action on the project.
- Any documentation related to findings, and Statements of Overriding Considerations.
- Any transcript or minutes of the proceedings at which the decision making body of the respondent public agency heard testimony, or considered any environmental document on the project; any transcript of proceedings before any advisory body to the decision making body.
- All notices issued by the respondent public agency to comply with CEQA and/or other laws.
- All written comments received in response to, or in connection with environmental documents prepared for the project, including responses to the notice of preparation.

- All written evidence or correspondence submitted to, or transferred from, the respondent agency with respect to compliance with CEQA or with respect to the project.
- Any proposed decisions or findings submitted to the decision making body of the respondent public agency by its staff, or the project proponent, project opponents, or other persons.
- The documentation of the final public agency decision, including the final environmental impact report, mitigated negative declaration, or negative declaration, and all documents, in addition to those referenced in (3) cited or relied on in the findings or in a statement of overriding considerations adopted pursuant to CEQA.
- Any other written materials relevant to the respondent agency's compliance with CEQA or to its decision on the merits of the project, including the initial study, any drafts of any environmental document, or portions thereof, which have been released for public review, and copies of studies or other documents relied upon in any environmental document prepared for the project and either made available to the public during the public review period or included in the respondent public agency's files on the project, and all internal agency communications including staff notes and memoranda related to the project or to compliance with CEQA.
- The full written record before any inferior administrative decision making body whose decision was appealed to a superior administrative decision making body prior to the filing of litigation.

CEQA §15074(c) requires that Findings must also specify the location and custodian of the administrative record. The administrative record of the *2015 Updates and Repeal of the Conway Ranch Specific Plan Final EIR* shall be maintained and shall be available for public review at 437 Old Mammoth Road, Suite P in Mammoth Lakes, California, and 74 School Street, Annex I in Bridgeport, California, under the custody of the Mono County Community Development Department.

V. CONSIDERATION OF THE ADMINISTRATIVE RECORD

In adopting these Findings, Mono County as Lead Agency finds that the Final EIR was presented to the Board of Supervisors as the decision-making body, and that Board of Supervisors reviewed and considered the information in the Final EIR prior to certifying the *2015 Updates and Repeal of the Conway Ranch Specific Plan Final EIR* and approving the project. By these findings, this Board of Supervisors ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the Final EIR. The Board of Supervisors finds that the Final EIR was completed in compliance with the California Environmental Quality Act. The information and conclusions contained in the Findings, in the Statement of Overriding Considerations, and in the Final EIR reflect Mono County's independent judgment and analysis.

VI. FINDINGS REGARDING SIGNIFICANT AND UNAVOIDABLE IMPACTS

- A. **LAND USE.** No significant adverse impacts are foreseen and no Findings or Statement of Overriding Effects are required.
- B. **CIRCULATION AND REGIONAL TRANSPORTATION PLANNING.** No significant adverse impacts are foreseen and no Findings or Statement of Overriding Effects are required.
- C. **AIR QUALITY AND GREENHOUSE GASES.** No significant adverse impacts are foreseen and no Findings or Statement of Overriding Effects are required.

A. BIOLOGICAL RESOURCES

1. ***General Plan implementation could have substantial adverse impacts, directly and through habitat modifications, on species identified in local or regional plans, or by the California Department of Fish and Wildlife (CDFW) or the United States Fish and Wildlife Service (USFWS), as candidate, sensitive or special status species.***

- a. **POTENTIAL IMPACT:** The potential for the Project to result in substantial adverse effects on Candidate, Sensitive & Special Status Species is discussed on DEIR pages 4.4-30 through 4.4-46.
- b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant adverse project effects on Candidate, Sensitive & Special Status Species.
- c. **FINDINGS:** Based upon the entire administrative record the Mono County Board of Supervisors finds:
 - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. In addition, further policies and actions were developed in response to impacts identified during environmental review and incorporated directly into the project. These policies and actions have been included in the MMRP, are fully enforceable, and are listed below. However, even with the implementation of policies and actions that would reduce impacts on candidate, sensitive and special status species, the potential remains for significant adverse impacts.

MITIGATING POLICIES

C/OS Action 2.A.3.c. When applicable, revegetation and landscape plans should include provisions to retain and re-establish upland vegetation, especially bitterbrush and sagebrush, as important mule deer and sage grouse habitat.

C/OS Action 2.A.3.h. Maintenance agreements and procedures for roads and other infrastructure shall consider impacts to special-status species including consultation with appropriate state and federal agencies.

RTP Policy 9.B. Reduce the potential for wildlife collisions to improve transportation system safety.

RTP Objective 9.A.7. Seek funding for undercrossing passageways for mule deer where highways intersect traditional migratory routes to reduce collisions and animal mortality.

RTP Objective 9.A.8. Seek funding to widen existing undercrossing passageways for mule deer and other wildlife to reduce collisions and animal mortality.

RTP Objective 9.A.9. Incorporate measures in to the design of new roads and road upgrades to reduce collisions between vehicles and deer/wildlife, such as increasing driver line-of-sight and incorporating short sections of exclusion fencing that directs animals to areas of improved visibility.

C/OS Action 13.C.4.d. Seek ways to form partnerships that will facilitate mitigative control or eradication of invasive non-native plants in and around town areas. Identify and explore methods of forming collaborations, funding, and facilitating such programs.

C/OS Action 2.A.1.b. Project design should first seek to avoid impacts. Unavoidable impacts should next be minimized, and finally mitigated. Examples of potential appropriate mitigation measures for projects identified by Action 1.1 as having significant impacts to animal and plant habitats include:

- h. when wetland and riparian disturbance cannot be avoided, seek restoration of adjacent habitat or compensation through an acceptable mitigation fee or other program pursuant to CEQA requirements to meet §404 of the Clean Water Act;
- i. designing projects to limit the conveyance of pollutants and sediments from runoff into wetlands and riparian areas;

- j. requiring project design to minimize the redirection of wildlife movement, and in no case shall linear barriers such as fences or other design features direct wildlife onto highly traveled roadways;
- k. requiring projects with potential to impact nesting bird populations to consult with appropriate state and federal agencies, and potentially prepare a nesting bird plan approved by CDFW as a condition of approval;
- l. requiring development projects affecting and adjacent to wetland or riparian areas to undertake habitat restoration, including the removal of non-native species, when feasible, to ensure ecosystem function.

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

C/OS Action 2.A.1.e. Landscaping and revegetation plans shall include measures to control invasive, non-native plants including weeds and annual grasses.

C/OS Action 2.A.1.f. For non-native plant removal, mechanical controls should be considered over chemical controls, where possible.

C/OS Action 2.A.3.b. Require landscape plans to incorporate the use of native vegetation when feasible. The transplanting of existing vegetation and use of locally collected seed may be required in the landscape plan.

C/OS Action 13.C.4.b. Revegetation plans should include measures to ensure the control of invasive, non-native plants including annual grasses.

C/OS Action 13.C.4.c. Revegetation plans should utilize plantings from local native stock, including adjacent riparian and wetland plants, and locally collected seed when feasible.

LU Action 21.C.5.a. Work with the appropriate agencies to develop and implement a raven mitigation plan for the landfill to protect sage-grouse populations.

LU Action 1.A.3.d. Consider requirements for bear-resistant trash receptacles in applicable community areas.

C/OS Policy 4.A.5. Projects within 30 feet of or that may otherwise impact wetland or riparian vegetation shall implement best management practices as recommended by the State Water Quality Control Board.

C/OS Policy 4.A.7. Continue to support "no net loss" of wetlands at a regional scale.

RTP Policy 18.A.3. Support preservation of the existing heritage trees along US 395 in a manner that ensures roadway safety.

LU Action 24.F.3.f. Engage with the California Department of Fish and Wildlife as the responsible agency for the protection and recovery of Sierra Nevada Bighorn Sheep prior to approving any new or renewed grazing use or altering any existing grazing use for domestic sheep.

C/OS Action 2.A.1.r. Work with the USFWS to ensure compliance with the Migratory Bird Treaty Act.

C/OS Action 13.C.3.f. Avoid siting cellular towers in Bi-State sage grouse habitat to the extent possible.

LU Action 24.F.1.a. CEQA analysis that considers direct and indirect impacts to sensitive biological resources at Witcher and Birch Creeks, including amphibians, will be required for any project that may impact these resources.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.

Facts and Reasoning that Support Finding. While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate or reduce to a level that is less-than-significant the potentially significant impacts on candidate and sensitive species would be to more severely restrict development potential in Mono County. Such a restriction would not meet the project objectives described on Draft EIR pages 3-2 and 3-3 and listed below. Impacts on candidate, sensitive and special status species thus represent a significant and unavoidable impact of the Project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives and provide economic, social, legal, and other considerable benefits as described in Section VII below.

PROJECT OBJECTIVES

- **Update the General Plan and RTP and Provide Long-Term Planning Guidance:** Provide updates that are consistent with the Mono County vision and goals, and provide the County with long-term planning guidance in the form of specific objectives, policies, goals and programs that balance employment, housing, public services, economic growth, and recreational opportunities with the need to protect and maintain the county's environmental resources. Ensure that the updates address changes in circumstances, community priorities, and new requirements of law.
- **Respect Community Preferences & Private Property Rights:** Ensure that the project and related planning efforts respect private property rights and the planning goals and objectives developed and recommended by the Mono County Planning Commission, Regional Planning Advisory Committees and communities. Within that framework, reflect the regional goals developed in collaboration with landowners, responsible and trustee agencies, regional planning partners, businesses and other stakeholders. Adopt policies and undertake programs that combine innovative planning and sound science with the values of Mono County residents to achieve a sustainable future.

- Protect the Outstanding Scenic, Recreational and Environmental Resources of Mono County: Consistent with the Vision of the Mono County General Plan, protect the outstanding scenic, biological and recreational values, and rural character of Mono County through environmentally responsible resource management, thorough analysis of potential impacts and alternatives and cumulative effects associated with the project and related planning initiatives, and cost-effective allocation of available funds.
- Facilitate Streamlining and Tiering of Future CEQA Documents and Provide Incentives for General Plan Compliance: Facilitate tiering of environmental documents to streamline CEQA compliance for future projects that conform to policies of the updated RTP and General Plan, consistent with the provisions of CEQA §15168(d). Encourage and support tiering as a means to reduce the cost and redundancy of CEQA compliance in Mono County while safeguarding environmental resources and encouraging projects that conform to the General Plan.
- Strengthen County Infrastructure: Incorporate policies that provide for sound and forward-looking development, management, and maintenance of capital facilities, communications facilities, and community services.
- Promote Resource Efficiency: The objective to achieve and maintain resource efficiency is an integral part of the proposed project, as expressed in policies and actions proposed for numerous elements of the 2015 Updates and Repeal of the Conway Ranch Specific Plan. Additional objectives are to reduce GHG emissions by a) adopting a GHG reduction goal consistent with AB 32, b) developing estimates of feasible GHG reductions, c) integrating feasible measures into the project as a set of adopted policies and specific actions, and d) complying with CEQA Guidelines §15183 to facilitate the assessment of future projects' compliance with adopted GHG policies and actions.
- Strengthen the Mono County Economy and Support Vibrant Rural Communities: As part of the current planning effort, the County has prepared an Economic Development Strategy that is intended to strengthen and enhance job opportunities and economic conditions throughout Mono County, and the initial principles and strategies are incorporated into the General Plan. As with many other project elements, the strategic plan includes strong provisions for multi-jurisdictional collaboration.

2. **General Plan implementation could have substantial adverse impacts, directly and through habitat modifications, on riparian habitats and other sensitive natural communities identified in local or regional plans, or by CDFW or USFWS.**
 - a. **POTENTIAL IMPACT:** Potential for the Project to result in substantial adverse effects on riparian habitats and other sensitive natural communities is discussed on DEIR pages 4.4-47 through 4.4-49.
 - b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant adverse project effects on riparian habitats and other sensitive natural communities.
 - c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds that:
 - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. In addition, further policies and actions were developed in response to impacts identified during environmental review and incorporated directly into the project. These policies and actions have been included in the MMRP, are fully enforceable, and are listed below. However, even with the implementation of policies and actions that would reduce impacts on riparian habitats and other sensitive natural communities the potential remains for significant adverse impacts.

MITIGATING POLICIES

C/OS Action 2.A.1.b. Project design should first seek to avoid impacts. Unavoidable impacts should next be minimized, and finally mitigated. Examples of potential appropriate mitigation measures for projects identified by Action 1.1 as having significant impacts to animal and plant habitats include:

- h. when wetland and riparian disturbance cannot be avoided, seek restoration of adjacent habitat or compensation through an acceptable mitigation fee or other program pursuant to CEQA requirements to meet §404 of the Clean Water Act;

- i. designing projects to limit the conveyance of pollutants and sediments from runoff into wetlands and riparian areas;
- l. requiring development projects affecting and adjacent to wetland or riparian areas to undertake habitat restoration, including the removal of non-native species, when feasible, to ensure ecosystem function.

C/OS Action 13.C.4.c. Revegetation plans should utilize plantings from local native stock, including adjacent riparian and wetland plants, and locally collected seed when feasible.

C/OS Policy 4.A.5. Projects within 30 feet of or that may otherwise impact wetland or riparian vegetation shall implement best management practices as recommended by the State Water Quality Control Board.

C/OS Policy 4.A.7. Continue to support “no net loss” of wetlands at a regional scale.

C/OS Action 3.E.1.b. Applications for out-of-basin water transfers shall be submitted to the county Planning Division and shall include the following information: point of extraction; amount of extraction; nature and location of conveyance facilities; and identification of potential impacts to the environment such as wildlife and riparian habitat, wetlands, in-stream habitat, other water users (e.g., agricultural operators), and also including indirect effects such as the potential for increased flood risk due to reduced wetlands, and increased fire hazard risk that could result in increased sedimentation and reduced groundwater recharge capacity.

C/OS Action 3.E.1.c. In issuing a water transfer permit, the Planning Commission shall make the following findings: that the proposed project meets all reasonable beneficial water needs, including uses in-stream and for agricultural operations and recreational purposes, within the basin of origin; and that the proposed project adequately protects water quality, in-stream flows, lake levels, riparian areas, vegetation types, sensitive/rare wildlife and habitat, and related resources such as the visual quality and character of the landscape; and is not likely to increase indirect effects such as flooding, wildfire, and/or sedimentation, or reduce groundwater recharge capacity. Projects that do not adequately protect these resources shall be denied.

C/OS Policy 3.E.2.b. Applications for groundwater export projects shall obtain a Groundwater Transfer permit (Mono County Code section 20.01), which requires the assessment of the potential impacts of the project prior to project approval in accordance with CEQA, and requires findings to be made. In addition, indirect impacts of increased wildfire risk and sedimentation resulting from fire, and increased flood risk and reduced recharge rates due to reduced or degraded wetlands and riparian areas, should be considered.

C/OS Policy 4.A.6. Discourage development within 30 feet of recharge, riparian, and wetland areas to minimize trampling, erosion and siltation impacts, and consider amending the General Plan to specify use and setback requirements. Continue to enforce setback requirements from surface waters.

LU Action 24.F.1.a. CEQA analysis that considers direct and indirect impacts to sensitive biological resources at Witcher and Birch Creeks, including amphibians, will be required for any project that may impact these resources.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce potential Project impacts to a less than significant level.

- iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development that would be allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant impacts on riparian habitats and sensitive communities would be to more severely restrict development potential in Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 above. Impacts on riparian habitats and other sensitive natural communities therefore represent a significant and unavoidable impact of the Project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

- 3. ***General Plan implementation could have substantial adverse impacts, directly and through habitat modifications, on federally protected wetlands as defined by Clean Water Act §404, through direct removal, filling, hydrological interruptions, or other means.***
 - a. **POTENTIAL IMPACT:** The potential for the Project to result in substantial adverse effects on federally protected wetlands is discussed on pages 4.4-49 through 4.4-50 of the Draft EIR.
 - b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant adverse project effects on federally protected wetlands.
 - c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds that:
 - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. In addition, further policies and actions were developed in response to impacts identified during environmental review and incorporated directly into the project. These policies and actions have been included in the MMRP, are fully enforceable, and are listed below. However, even with the implementation of policies and actions that would reduce impacts on federally protected wetlands the potential remains for significant adverse impacts.

MITIGATING POLICIES

C/OS Action 2.A.1.b. Project design should first seek to avoid impacts. Unavoidable impacts should next be minimized, and finally mitigated. Examples of potential appropriate mitigation measures for projects identified by Action 1.1 as having significant impacts to animal and plant habitats include:

- j. when wetland and riparian disturbance cannot be avoided, seek restoration of adjacent habitat or compensation through an acceptable mitigation fee or other program pursuant to CEQA requirements to meet §404 of the Clean Water Act;
- k. designing projects to limit the conveyance of pollutants and sediments from runoff into wetlands and riparian areas;
- l. requiring development projects affecting and adjacent to wetland or riparian areas to undertake habitat restoration, including the removal of non-native species, when feasible, to ensure ecosystem function.

C/OS Action 13.C.4.c. Revegetation plans should utilize plantings from local native stock, including adjacent riparian and wetland plants, and locally collected seed when feasible.

C/OS Policy 4.A.5. Projects within 30 feet of or that may otherwise impact wetland or riparian vegetation shall implement best management practices as recommended by the State Water Quality Control Board.

C/OS Policy 4.A.7. Continue to support “no net loss” of wetlands at a regional scale.

C/OS Action 3.E.1.b. Applications for out-of-basin water transfers shall be submitted to the county Planning Division and shall include the following information: point of extraction; amount of extraction; nature and location of conveyance facilities; and identification of potential impacts to the environment such as wildlife and riparian habitat, wetlands, in-stream habitat, other water users (e.g., agricultural operators), and also including indirect effects such as the potential for increased flood risk due to reduced wetlands, and increased fire hazard risk that could result in increased sedimentation and reduced groundwater recharge capacity.

C/OS Action 3.E.1.c. In issuing a water transfer permit, the Planning Commission shall make the following findings: that the proposed project meets all reasonable beneficial water needs, including uses in-stream and for agricultural operations and recreational purposes, within the basin of origin; and that the proposed project adequately protects water quality, in-stream flows, lake levels, riparian areas, vegetation types, sensitive/rare wildlife and habitat, and related resources such as the visual quality and character of the landscape; and is not likely to increase indirect effects such as flooding, wildfire, and/or sedimentation, or reduce groundwater recharge capacity. Projects that do not adequately protect these resources shall be denied.

C/OS Policy 3.E.2.b. Applications for groundwater export projects shall obtain a Groundwater Transfer permit (Mono County Code section 20.01), which requires the assessment of the potential impacts of the project prior to project approval in accordance with CEQA, and requires findings to be made. In addition, indirect impacts of increased wildfire risk and sedimentation resulting from fire, and increased flood risk and reduced recharge rates due to reduced or degraded wetlands and riparian areas, should be considered.

C/OS Policy 4.A.6. Discourage development within 30 feet of recharge, riparian, and wetland areas to minimize trampling, erosion and siltation impacts, and consider amending the General Plan to specify use and setback requirements. Continue to enforce setback requirements from surface waters.

LU Action 18.D.1.f. Utilize Best Management Practices (BMPs) including, but not limited to, the Low Impact Development (LID) techniques in the Appendix of the General Plan to minimize the effects of runoff.

C/OS Action 4.A.8.a. As required by the Lahontan Regional Water Quality Control Board, projects must provide post-construction stormwater management plans. Developers should utilize

stormwater control measures that are compatible with low-impact development solutions (see General Plan Appendix), such as rain gardens, green roofs, detention ponds, bioretention swales, pervious pavement, vegetated infiltration ponds, and other measures provided by the California Stormwater Quality Association (www.casqa.org) to effectively treat post-construction stormwater runoff, help sustain watershed processes, protect receiving water, and maintain healthy watersheds.

C/OS Action 4.A.8.c. Maintain drainage systems associated with roads and public infrastructure for stormwater management.

C/OS Action 4.A.8.e. Subject to the availability of County resources, provide education and advice on LID measures that could be incorporated into project designs.

LU Action 24.F.1.a. CEQA analysis that considers direct and indirect impacts to sensitive biological resources at Witcher and Birch Creeks, including amphibians, will be required for any project that may impact these resources.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce Project impacts on federally protected wetlands to a less-than-significant level.
- iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant impacts on wetlands would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 above. Impacts on federally protected wetlands therefore represent a significant and unavoidable impact of the Project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

4. **General Plan implementation could interfere substantially with the movement of native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.**
- a. **POTENTIAL IMPACT:** The potential for the Project to result in substantial adverse effects on wildlife movement, wildlife corridors or wildlife nursery sites is discussed on DEIR page 4.4-51.
 - b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant adverse project effects on wildlife movement, wildlife corridors or wildlife nursery sites.
 - c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
 - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. In addition, further policies and actions were developed in response to impacts identified during environmental review and incorporated directly into the project. These policies and actions have been included in the MMRP, are fully enforceable, and are listed below. However, even with the implementation of policies and actions that would reduce impacts on the movement of native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, the potential remains for significant adverse impacts.

MITIGATING POLICIES

C/OS Action 2.A.3.c. When applicable, revegetation and landscape plans should include provisions to retain and re-establish upland vegetation, especially bitterbrush and sagebrush, as important mule deer and sage grouse habitat.

C/OS Action 2.A.3.h. Maintenance agreements and procedures for roads and other infrastructure shall consider impacts to special-status species including consultation with appropriate state and federal agencies.

RTP Policy 9.B. Reduce the potential for wildlife collisions to improve transportation system safety.

RTP Objective 9.A.7. Seek funding for undercrossing passageways for mule deer where highways intersect traditional migratory routes to reduce collisions and animal mortality.

RTP Objective 9.A.8. Seek funding to widen existing undercrossing passageways for mule deer and other wildlife to reduce collisions and animal mortality.

RTP Objective 9.A.9. Incorporate measures in to the design of new roads and road upgrades to reduce collisions between vehicles and deer/wildlife, such as increasing driver line-of-sight and incorporating short sections of exclusion fencing that directs animals to areas of improved visibility.

C/OS Action 13.C.4.d. Seek ways to form partnerships that will facilitate mitigative control or eradication of invasive non-native plants in and around town areas. Identify and explore methods of forming collaborations, funding, and facilitating such programs.

C/OS Action 2.A.1.b. Project design should first seek to avoid impacts. Unavoidable impacts should next be minimized, and finally mitigated. Examples of potential appropriate mitigation measures for projects identified by Action 1.1 as having significant impacts to animal and plant habitats include:

- h. when wetland and riparian disturbance cannot be avoided, seek restoration of adjacent habitat or compensation through an acceptable mitigation fee or other program pursuant to CEQA requirements to meet §404 of the Clean Water Act;
- i. designing projects to limit the conveyance of pollutants and sediments from runoff into wetlands and riparian areas;
- j. requiring project design to minimize the redirection of wildlife movement, and in no case shall linear barriers such as fences or other design features direct wildlife onto highly traveled roadways;
- k. requiring projects with potential to impact nesting bird populations to consult with appropriate state and federal agencies, and potentially prepare a nesting bird plan approved by CDFW as a condition of approval;
- l. requiring development projects affecting and adjacent to wetland or riparian areas to undertake habitat restoration, including the removal of non-native species, when feasible, to ensure ecosystem function.

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

C/OS Action 2.A.1.e. Landscaping and revegetation plans shall include measures to control invasive, non-native plants including weeds and annual grasses.

C/OS Action 2.A.1.f. For non-native plant removal, mechanical controls should be considered over chemical controls, where possible.

C/OS Action 2.A.3.b. Require landscape plans to incorporate the use of native vegetation when feasible. The transplanting of existing vegetation and use of locally collected seed may be required in the landscape plan.

C/OS Action 13.C.4.b. Revegetation plans should include measures to ensure the control of invasive, non-native plants including annual grasses.

C/OS Action 13.C.4.c. Revegetation plans should utilize plantings from local native stock, including adjacent riparian and wetland plants, and locally collected seed when feasible.

LU Action 21.C.5.a. Work with the appropriate agencies to develop and implement a raven mitigation plan for the landfill to protect sage-grouse populations.

LU Action 1.A.3.d. Consider requirements for bear-resistant trash receptacles in applicable community areas.

C/OS Policy 4.A.5. Projects within 30 feet of or that may otherwise impact wetland or riparian vegetation shall implement best management practices as recommended by the State Water Quality Control Board.

C/OS Policy 4.A.7. Continue to support “no net loss” of wetlands at a regional scale.

RTP Policy 18.A.3. Support preservation of the existing heritage trees along US 395 in a manner that ensures roadway safety.

LU Action 24.F.3.f. Engage with the California Department of Fish and Wildlife as the responsible agency for the protection and recovery of Sierra Nevada Bighorn Sheep prior to approving any new or renewed grazing use or altering any existing grazing use for domestic sheep.

C/OS Action 2.A.1.r. Work with the USFWS to ensure compliance with the Migratory Bird Treaty Act.

C/OS Action 13.C.3.f. Avoid siting cellular towers in Bi-State sage grouse habitat to the extent possible.

LU Action 24.F.1.a. CEQA analysis that considers direct and indirect impacts to sensitive biological resources at Witcher and Birch Creeks, including amphibians, will be required for any project that may impact these resources.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce to less than significant levels the potential Project impacts on the movement of native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors.
- iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant impacts on candidate and sensitive species would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 above. Impacts on the movement of resident or migratory species or with established wildlife corridors therefore represent a significant and unavoidable impact of the Project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

5. **General Plan implementation could potentially conflict with existing or proposed local policies or ordinances protecting biological resources.**
 - a. **POTENTIAL IMPACT:** The potential for the project to substantially conflict with policies or ordinances protecting biological resources is discussed on page 4.4-52 of the Draft EIR.
 - b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the potential for the project to substantially conflict with policies or ordinances protecting biological resources.
 - c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds that:
 - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. In addition, further policies and actions were developed in response to impacts identified during environmental review and incorporated directly into the project. These policies and actions have been included in the MMRP, are fully enforceable, and are listed below. However, even with the implementation of policies and actions that would reduce impacts on local biological protection ordinances, the potential remains for significant adverse impacts.

MITIGATING POLICIES

RTP Policy 18.A.3. Support preservation of the existing heritage trees along US 395 in a manner that ensures roadway safety.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce Project impacts on local biological protection ordinances that are associated to a less-than-significant level
- iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant impacts on local biological protection ordinances would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 above. Impacts on federally protected wetlands therefore represent a significant and unavoidable impact of the Project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through

increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

6. **General Plan implementation would not conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other similar adopted plans.** No significant adverse impacts are foreseen and no Findings or Statement of Overriding Effects are required.

B. GEOLOGY, SOILS AND MINERAL RESOURCES

1. **General Plan implementation could expose people or structures to potential substantial adverse impacts involving rupture of an earthquake fault, strong seismic ground shaking or landslides, or seismic-related ground failure.**

- a. **POTENTIAL IMPACT:** The potential for the project to expose people or structures to potential substantial adverse impacts involving rupture of an earthquake fault, strong seismic ground shaking or landslides, or seismic-related ground failure is discussed on Draft EIR pages 4.5-12 through 4.5-13.
- b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant adverse project effects related to exposure of people or structures to rupture of an earthquake fault, strong seismic ground shaking or landslides, or seismic-related ground failure.
- c. **FINDINGS:** Based upon the entire administrative record the Mono County Board of Supervisors finds:
 - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. No further feasible mitigating policies and actions were identified in response to impacts determined during environmental review. Even with the implementation of the original project components that would reduce impacts associated with impacts involving strong seismic ground shaking, landslides or failure, the potential remains for significant adverse impacts.
 - ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
 - iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate or reduce to a level that is less-than-significant the potentially significant impacts on candidate and sensitive species would be to more severely restrict development potential in Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Impacts related to the exposure of people or structures to potential substantial adverse impacts involving rupture of an earthquake fault, strong seismic ground shaking or landslides, or seismic-related ground failure thus represent a significant and unavoidable impact of the Project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and

services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A₁ (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

2. General Plan implementation could result in substantial soil erosion or the loss of topsoil.

- a. **POTENTIAL IMPACT:** The potential for the project to expose people or structures to potential substantial adverse impacts involving substantial soil erosion or the loss of topsoil is discussed on pages 4.5-13 through 4.5-15 of the Draft EIR.
- b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the project potential for substantial soil erosion or the loss of topsoil.
- c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
 - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. In addition, further policies and actions were developed in response to impacts identified during environmental review and incorporated directly into the project. These policies and actions have been included in the MMRP, are fully enforceable, and are listed below. However, even with the implementation of policies and actions that would reduce potential for substantial soil erosion or the loss of topsoil, the potential remains for significant adverse impacts.

MITIGATING POLICIES

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

Action 18.D.1.f. Utilize Best Management Practices (BMPs) including, but not limited to, the Low Impact Development (LID) techniques in the Appendix of the General Plan to minimize the effects of runoff.

C/OS Action 4.A.8.a. As required by the Lahontan Regional Water Quality Control Board, projects must provide post-construction stormwater management plans. Developers should utilize stormwater control measures that are compatible with low-impact development solutions (see General Plan Appendix), such as rain gardens, green roofs, detention ponds, bioretention swales, pervious pavement, vegetated infiltration ponds, and other measures provided by the California Stormwater Quality Association (www.casqa.org) to effectively treat post-construction stormwater runoff, help sustain watershed processes, protect receiving water, and maintain healthy watersheds.

C/OS Action 4.A.8.c. Maintain drainage systems associated with roads and public infrastructure for stormwater management.

C/OS Action 4.A.8.d. Complementary design features with the potential to improve habitat such as settling basins, vaults, and bank stabilization should be considered when designing or maintaining culverts. Culverts should be analyzed and designed to limit unintended adverse impacts such as degraded water quality, erosion and siltation of wetlands.

C/OS Action 4.A.8.e. Subject to the availability of County resources, provide education and advice on LID measures that could be incorporated into project designs.

C/OS Policy 4.A.6. Discourage development within 30 feet of recharge, riparian, and wetland areas to minimize trampling, erosion and siltation impacts, and consider amending the General Plan to specify use and setback requirements. Continue to enforce setback requirements from surface waters.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
- iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate or reduce to a level that is less-than-significant the potentially significant impacts associated with soil erosion and loss of topsoil would be to more severely restrict development potential in Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Impacts related to the potential for substantial soil erosion or the loss of topsoil thus represent a significant and unavoidable impact of the Project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

- 3. **General Plan implementation could result in structures located on a geologic unit or soil that is unstable or would become unstable due to the project and potentially result in lateral spreading, subsidence, liquefaction or collapse.**

- a. **POTENTIAL IMPACT:** The potential for the project to expose people or structures to unstable geology and potentially result in lateral spreading, subsidence, liquefaction or collapse, is discussed on pages 4.5-15 through 4.5-16 of the Draft EIR.
- b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the project potential for people and structures to be exposure to unstable geology, potentially resulting in lateral spreading, subsidence, liquefaction or collapse.
- c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
 - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. No further feasible mitigating policies and actions were identified in response to impacts determined during environmental review. Even with the implementation of the original project components that would reduce potential for people and structures to be exposure to unstable geology, potentially resulting in lateral spreading, subsidence, liquefaction or collapse, the potential remains for significant adverse impacts.
 - ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
 - iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant adverse effects related to the exposure of people and structures to unstable geology (potentially resulting in lateral spreading, subsidence, liquefaction or collapse), would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Impacts associated with unstable geologic structures thus represent a significant and unavoidable project impact.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

4. **General Plan implementation would not result in structures on expansive soils incapable of adequately supporting the use of septic tanks or alternative waste systems:** No significant adverse impacts are foreseen and no Findings or Statement of Overriding Effects are required.
5. **General Plan implementation could result in the loss of availability of a known mineral resource or an identified locally important mineral resource that would be of value to the region and to residents of the state of California.**
 - a. **POTENTIAL IMPACT:** The potential for the project to result in loss of availability of a known mineral resource or an identified locally important mineral resource is discussed on pages 4.5-20 through 4.5-22 of the Draft EIR.
 - b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the potential loss of availability of a known mineral resource or an identified locally important mineral resource.
 - c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
 - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. No further feasible mitigating policies and actions were identified in response to impacts determined during environmental review. Even with the implementation of the original project that would reduce potential loss of mineral resources, the potential remains for significant adverse impacts.
 - ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to mineral resources to a less-than-significant level.
 - iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially loss of mineral resources would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Impacts associated with mineral resources are thus significant and unavoidable.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

C. HEALTH, SAFETY AND HAZARDS

1. *General Plan implementation could create a significant hazard to the public or to the environment through the transport, use or disposal of hazardous materials or the release of hazardous materials into the environment.*

- a. **POTENTIAL IMPACT:** Draft EIR pages 4.6-26 through 4.6-29 discuss the potential for the project to create a significant hazard to the public or to the environment through the transport, use or disposal of hazardous materials or the release of hazardous materials into the environment.
- b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant hazards associated with transport, use, disposal or release of hazardous materials.
- c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
 - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. No further feasible mitigating policies and actions were identified in response to impacts determined during environmental review. Even with the implementation of the original project components that would reduce potential hazards associated with transport, use, disposal or release of hazardous materials, the potential remains for significant adverse impacts.
 - ii. **Finding:** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
 - iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant impacts associated with use, transport, disposal or release of hazardous materials would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Impacts associated with transport, use, disposal or release of hazardous materials thus represent a significant and unavoidable impact of the project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on

tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

2. **General Plan implementation would not create hazards resulting from projects located on sites that are included on a list of hazardous materials sites:** No significant adverse impacts are foreseen and no Findings or Statement of Overriding Effects are required.
3. **General Plan implementation would not expose people or structures to airport hazards:** No significant adverse impacts are foreseen and no Findings or Statement of Overriding Effects are required.
4. **General Plan implementation could impair implementation of or physically interfere with an adopted emergency plan or emergency evacuation plan.**
 - a. **POTENTIAL IMPACT:** Draft EIR pages 4.6-35 through 4.6-36 discuss the potential for the project to impair implementation of or physically interfere with an adopted emergency plan or emergency evacuation plan.
 - b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant hazards associated with impaired emergency evacuation.
 - c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
 - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. No further feasible mitigating policies and actions were identified in response to impacts determined during environmental review. Even with the implementation of the original project components that would reduce potential hazards associated with impaired implementation of or physical interference with emergency evacuation, the potential remains for significant adverse impacts.
 - ii. **Finding:** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
 - iii. **Facts and Reasoning that Support Finding:** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potential for impaired emergency evacuation would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Impacts associated with impaired implementation of or physical interference with emergency evacuation thus represent a significant and unavoidable impact of the Project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow

additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

5. General Plan implementation could expose people or structures to a significant risk of loss, injury or death involving wildland fires.

- a. **POTENTIAL IMPACT:** Draft EIR pages 4.6-36 through 4.6-37 discuss the potential for the project to expose people or structures to a significant risk of loss, injury or death involving wildland fires.
- b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant hazards associated with exposure to wildland fire risks.
- c. **FINDINGS:** Based upon the administrative record, the Mono County Board of Supervisors finds:
 - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. No further feasible mitigating policies and actions were identified in response to impacts determined during environmental review. Even with the implementation of the original project components that would reduce potential hazards associated with exposure of people or structures to significant risk of loss, injury or death involving wildland fires, the potential remains for significant adverse impacts.
 - ii. **Finding:** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
 - iii. **Facts and Reasoning that Support Finding:** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potential for impaired emergency evacuation would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Impacts associated with exposure to wildland fire risk thus represent a significant and unavoidable impact of the Project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would

contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

6. *General Plan implementation could expose people or structures to a significant risk involving avalanche, landslides, destructive storms or winds, rockfall or volcanic activity.*

- a. **POTENTIAL IMPACT:** Draft EIR pages 4.6-37 through 4.6-39 discuss the potential for the project to expose people or structures to a significant risk involving avalanche, landslides, destructive storms or winds, rockfall or volcanic activity.
- b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant hazards associated with exposure to avalanche, landslides, destructive storms or winds, rockfall or volcanic activity.
- c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
 - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. No further feasible mitigating policies and actions were identified in response to impacts determined during environmental review. Even with the implementation of the original project components that would reduce potential hazards associated with exposure of people or structures to significant risk involving avalanche, landslides, destructive storms or winds, rockfall or volcanic activity, the potential remains for significant adverse impacts.
 - ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
 - iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potential for impaired emergency evacuation would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Impacts associated with exposure to avalanche, landslides, destructive storms or winds, rockfall or volcanic activity thus represent a significant and unavoidable project impact.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The

project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

D. CULTURAL RESOURCES

1. **General Plan implementation could cause a substantial adverse change in the significance of a prehistoric or historic resource.**
 - a. **POTENTIAL IMPACT:** Draft EIR pages 4.7-11 through 4.7-13 discuss the potential for the project to cause a substantial adverse change in the significance of a prehistoric or historic resource.
 - b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant hazards associated with adverse change in the significance of a prehistoric or historic resource.
 - c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
 - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. No further feasible mitigating policies and actions were identified in response to impacts determined during environmental review. Even with the implementation of the original project components that would reduce potential to cause a substantial adverse change in the significance of a prehistoric or historic resource, the potential remains for significant adverse impacts.
 - ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
 - iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant impacts associated with protection of historic or prehistoric resource would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Impacts associated with potential change in the significance of a prehistoric or historic resource thus represent a significant and unavoidable project impact.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

2. *General Plan implementation could directly or indirectly destroy a unique paleontological resource or site or feature.*

- a. **POTENTIAL IMPACT:** The potential for the project to directly or indirectly destroy a unique paleontological resource or site or feature is discussed on Draft EIR page 4.7-13.
- b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant hazards associated with potential destruction of a unique paleontological resource or site or feature.
- c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
 - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. No further feasible mitigating policies and actions were identified in response to impacts determined during environmental review. Even with the implementation of the original project components that would reduce potential for the project to destroy a unique paleontological resource or site or feature, the potential remains for significant adverse impacts.
 - ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
 - iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant impacts associated with loss of a paleontological resource would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. The potential destruction of a unique paleontological site, resource or feature thus represents a significant and unavoidable project impact.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

3. *General Plan implementation could cause disturbance to human remains or sacred lands, including those interred outside of formal cemeteries.*

- a. **POTENTIAL IMPACT:** The potential for the project to cause disturbance to human remains or sacred lands is discussed on Draft EIR pages 4.7-13 and 4.7-14.
- b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant hazards associated with potential disturbance of human remains or sacred lands.
- c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
 - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. No further feasible mitigating policies and actions were identified in response to impacts determined during environmental review. Even with the implementation of the original project components that would reduce potential for the project to disturb human remains or sacred lands, the potential remains for significant adverse impacts.
 - ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
 - iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant impacts associated with disturbance to human remains or sacred lands would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Impacts associated with potential disturbance of human remains or sacred lands thus represent a significant and unavoidable project impact.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal*

of the Conway Ranch Specific Plan provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the 2015 Updates and Repeal of the Conway Ranch Specific Plan project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

E. HYDROLOGY, FLOODING, WATER QUALITY, WATER SUPPLY

1. **General Plan implementation could cause a violation of water quality objectives and standards.**
 - a. **POTENTIAL IMPACT:** Draft EIR pages 4.8-31 through 4.8-37 discuss the potential for the project to cause a violation of water quality standards.
 - b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant hazards associated with a potential violation of water quality standards.
 - c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
 - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. In addition, further policies and actions were developed in response to impacts identified during environmental review and incorporated directly into the project. These policies and actions have been included in the MMRP, are fully enforceable, and are listed below. However, even with the implementation of policies and actions that would reduce potential to cause a cause a violation of water quality standards, the potential remains for significant adverse impacts.

MITIGATING POLICIES

C/OS Action 2.A.1.b. Project design should first seek to avoid impacts. Unavoidable impacts should next be minimized, and finally mitigated. Examples of potential appropriate mitigation measures for projects identified by Action 1.1 as having significant impacts to animal and plant habitats include:

- i. designing projects to limit the conveyance of pollutants and sediments from runoff into wetlands and riparian areas;

C/OS Policy 4.A.5. Projects within 30 feet of or that may otherwise impact wetland or riparian vegetation shall implement best management practices as recommended by the State Water Quality Control Board.

LU Action 18.D.1.f. Utilize Best Management Practices (BMPs) including, but not limited to, the Low Impact Development (LID) techniques in the Appendix of the General Plan to minimize the effects of runoff.

C/JOS Action 4.A.8.a. As required by the Lahontan Regional Water Quality Control Board, projects must provide post-construction stormwater management plans. Developers should utilize stormwater control measures that are compatible with low-impact development solutions (see General Plan Appendix), such as rain gardens, green roofs, detention ponds, bioretention swales, pervious pavement, vegetated infiltration ponds, and other measures provided by the California Stormwater Quality Association (www.casqa.org) to effectively treat post-construction stormwater runoff, help sustain watershed processes, protect receiving water, and maintain healthy watersheds.

C/JOS Action 4.A.8.c. Maintain drainage systems associated with roads and public infrastructure for stormwater management.

C/JOS Action 4.A.8.e. Subject to the availability of County resources, provide education and advice on LID measures that could be incorporated into project designs.

C/JOS Action 5.C.2.i. Proactively collaborate with stakeholders to avoid and minimize impacts to water quality from livestock and grazing activities, and recognize and support the Regional Water Quality Control Board, Sierra Business Council and UC Davis incentives for ranchers to install and monitor the efficacy of grazing management practices in an effort to protect and improve water quality.

C/JOS Policy 4.A.6. Discourage development within 30 feet of recharge, riparian, and wetland areas to minimize trampling, erosion and siltation impacts, and consider amending the General Plan to specify use and setback requirements. Continue to enforce setback requirements from surface waters.

C/JOS Action 4.A.8.c. Maintain drainage systems associated with roads and public infrastructure for stormwater management.

C/JOS Action 4.A.8.d. Complementary design features with the potential to improve habitat such as settling basins, vaults, and bank stabilization should be considered when designing or maintaining culverts. Culverts should be analyzed and designed to limit unintended adverse impacts such as degraded water quality, erosion and siltation of wetlands.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
- iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant impacts associated with potential violation of water quality standards would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Impacts associated with potential violation of water quality standards thus represent a significant and unavoidable project impact.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from

urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

2. **General Plan implementation could jeopardize compliance with wastewater treatment requirements of the Lahontan Regional Water Quality Control Board (LRWQCB) or require construction or expansion of wastewater treatment facilities.**

- a. **POTENTIAL IMPACT:** Draft EIR pages 4.8-37 through 4.8-39 discuss the potential for the project to jeopardize compliance with LRWQCB wastewater treatment requirements or cause construction or expansion of wastewater treatment facilities.
- b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the significant hazards resulting from noncompliance with LRWQCB wastewater treatment requirements.
- c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
 - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. In addition, further policies and actions were developed in response to impacts identified during environmental review and incorporated directly into the project. These policies and actions have been included in the MMRP, are fully enforceable, and are listed below. However, even with the implementation of policies and actions that would reduce the significant hazards resulting from noncompliance with LRWQCB wastewater treatment requirements, the potential remains for significant adverse impacts.

MITIGATING POLICIES

C Policy 4.B.5. Work with special districts and other appropriate entities to meet community infrastructure needs such as water, sewer, fire protection, etc.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
- iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant impacts resulting from noncompliance with LRWQCB wastewater treatment requirements would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Project impacts resulting from potential noncompliance with LRWQCB wastewater treatment requirements are therefore significant and unavoidable.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal*

of the Conway Ranch Specific Plan provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

3. **General Plan implementation could result in a situation where water supplies are insufficient to serve approved long-term uses.**
 - a. **POTENTIAL IMPACT:** Draft EIR pages 4.8-39 through 4.8-46 discuss the availability of adequate water to serve the project from existing entitlements, facilities and resources.
 - b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the potential that water supplies will be insufficient to serve approved land uses.
 - c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
 - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. In addition, further policies and actions were developed in response to impacts identified during environmental review and incorporated directly into the project. These policies and actions have been included in the MMRP, are fully enforceable, and are listed below. However, even with the implementation of policies and actions that would reduce the significant hazards associated with insufficient water supplies, the potential remains for significant adverse impacts.

MITIGATING POLICIES

C Policy 4.B.5. Work with special districts and other appropriate entities to meet community infrastructure needs such as water, sewer, fire protection, etc.

C/OS Action 3.E.1.b. Applications for out-of-basin water transfers shall be submitted to the county Planning Division and shall include the following information: point of extraction; amount of extraction; nature and location of conveyance facilities; and identification of potential impacts to the environment such as wildlife and riparian habitat, wetlands, in-stream habitat, other water users (e.g., agricultural operators), and also including indirect effects such as the potential for increased flood risk due to reduced wetlands, and increased fire hazard risk that could result in increased sedimentation and reduced groundwater recharge capacity.

C/OS Action 3.E.1.c. In issuing a water transfer permit, the Planning Commission shall make the following findings: that the proposed project meets all reasonable beneficial water needs, including uses in-stream

and for agricultural operations and recreational purposes, within the basin of origin; and that the proposed project adequately protects water quality, in-stream flows, lake levels, riparian areas, vegetation types, sensitive/rare wildlife and habitat, and related resources such as the visual quality and character of the landscape; and is not likely to increase indirect effects such as flooding, wildfire, and/or sedimentation, or reduce groundwater recharge capacity. Projects that do not adequately protect these resources shall be denied.

C/OS Policy 3.E.2.b. Applications for groundwater export projects shall obtain a Groundwater Transfer permit (Mono County Code section 20.01), which requires the assessment of the potential impacts of the project prior to project approval in accordance with CEQA, and requires findings to be made. In addition, indirect impacts of increased wildfire risk and sedimentation resulting from fire, and increased flood risk and reduced recharge rates due to reduced or degraded wetlands and riparian areas, should be considered.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
- iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant impacts resulting from insufficient water supplies would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Impacts associated with the potential insufficiency of water resources therefore represent a significant and unavoidable impact of the project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

- 4. **General Plan implementation could alter existing drainage patterns in a manner that would result in substantial erosion, siltation, flooding or polluted runoff.**
 - a. **POTENTIAL IMPACT:** Draft EIR pages 4.8-46 through 4.8-48 discuss the potential for alteration of drainage patterns so as to cause substantial erosion, siltation, flooding or polluted runoff.

- b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the potential that drainage patterns would be altered in a manner that would result in substantial erosion, siltation, flooding or polluted runoff.
- c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
 - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. In addition, further policies and actions were developed in response to impacts identified during environmental review and incorporated directly into the project. These policies and actions have been included in the MMRP, are fully enforceable, and are listed below. However, even with the implementation of policies and actions that would reduce the significant hazards associated erosion, siltation, flooding or polluted runoff resulting from the alteration of drainage patterns, the potential remains for significant adverse impacts.

MITIGATING POLICIES

C/OS Action 2.A.1.b. Project design should first seek to avoid impacts. Unavoidable impacts should next be minimized, and finally mitigated. Examples of potential appropriate mitigation measures for projects identified by Action 1.1 as having significant impacts to animal and plant habitats include:

- h. when wetland and riparian disturbance cannot be avoided, seek restoration of adjacent habitat or compensation through an acceptable mitigation fee or other program pursuant to CEQA requirements to meet §404 of the Clean Water Act;
- i. designing projects to limit the conveyance of pollutants and sediments from runoff into wetlands and riparian areas;
- l. requiring development projects affecting and adjacent to wetland or riparian areas to undertake habitat restoration, including the removal of non-native species, when feasible, to ensure ecosystem function.

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

C/OS Policy 4.A.5. Projects within 30 feet of or that may otherwise impact wetland or riparian vegetation shall implement best management practices as recommended by the State Water Quality Control Board.

LU Action 18.D.1.f. Utilize Best Management Practices (BMPs) including, but not limited to, the Low Impact Development (LID) techniques in the Appendix of the General Plan to minimize the effects of runoff.

C/OS Action 4.A.8.a. As required by the Lahontan Regional Water Quality Control Board, projects must provide post-construction stormwater management plans. Developers should utilize stormwater control measures that are compatible with low-impact development solutions (see General Plan Appendix), such as rain gardens, green roofs, detention ponds, bioretention swales, pervious pavement, vegetated infiltration ponds, and other measures provided by the California Stormwater Quality Association (www.casqa.org) to effectively treat post-construction stormwater runoff, help sustain watershed processes, protect receiving water, and maintain healthy watersheds.

C/OS Action 4.A.8.c. Maintain drainage systems associated with roads and public infrastructure for stormwater management.

C/OS Action 4.A.8.e. Subject to the availability of County resources, provide education and advice on LID measures that could be incorporated into project designs.

C/OS Action 3.E.1.b. Applications for out-of-basin water transfers shall be submitted to the county Planning Division and shall include the following information: point of extraction; amount of extraction; nature and location of conveyance facilities; and identification of potential impacts to the environment such as wildlife and riparian habitat, wetlands, in-stream habitat, other water users (e.g., agricultural operators), and also including indirect effects such as the potential for increased flood risk due to reduced wetlands, and increased fire hazard risk that could result in increased sedimentation and reduced groundwater recharge capacity.

C/OS Action 3.E.1.c. In issuing a water transfer permit, the Planning Commission shall make the following findings: that the proposed project meets all reasonable beneficial water needs, including uses in-stream and for agricultural operations and recreational purposes, within the basin of origin; and that the proposed project adequately protects water quality, in-stream flows, lake levels, riparian areas, vegetation types, sensitive/rare wildlife and habitat, and related resources such as the visual quality and character of the landscape; and is not likely to increase indirect effects such as flooding, wildfire, and/or sedimentation, or reduce groundwater recharge capacity. Projects that do not adequately protect these resources shall be denied.

C/OS Policy 3.E.2.b. Applications for groundwater export projects shall obtain a Groundwater Transfer permit (Mono County Code section 20.01), which requires the assessment of the potential impacts of the project prior to project approval in accordance with CEQA, and requires findings to be made. In addition, indirect impacts of increased wildfire risk and sedimentation resulting from fire, and increased flood risk and reduced recharge rates due to reduced or degraded wetlands and riparian areas, should be considered.

C/OS Action 5.C.2.i. Proactively collaborate with stakeholders to avoid and minimize impacts to water quality from livestock and grazing activities, and recognize and support the Regional Water Quality Control Board, Sierra Business Council and UC Davis incentives for ranchers to install and monitor the efficacy of grazing management practices in an effort to protect and improve water quality.

C/OS Policy 4.A.6. Discourage development within 30 feet of recharge, riparian, and wetland areas to minimize trampling, erosion and siltation impacts, and consider amending the General Plan to specify use and setback requirements. Continue to enforce setback requirements from surface waters.

C/OS Action 4.A.8.d. Complementary design features with the potential to improve habitat such as settling basins, vaults, and bank stabilization should be considered when designing or maintaining culverts. Culverts should be analyzed and designed to limit unintended adverse impacts such as degraded water quality, erosion and siltation of wetlands.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
- iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potential for significant erosion, siltation, flooding or polluted runoff resulting from the alteration of drainage patterns would be to more severely restrict development potential in Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Impacts associated with the altered drainage patterns therefore represent a significant and unavoidable impact of the project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow

additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

6. **General Plan implementation would not place housing in a mapped 100-year flood hazard zone:** No significant adverse impacts are foreseen and no Findings or Statement of Overriding Effects are required.
7. **General Plan implementation would not expose people or structures to a significant risk of loss, injury or death involving flood, including failure or a levee or dam:** No significant adverse impacts are foreseen and no Findings or Statement of Overriding Effects are required.
8. **General Plan implementation would not expose people or structures to significant risk resulting from seiche, tsunami or mudflow:** No significant adverse impacts are foreseen and no Findings or Statement of Overriding Effects are required.

F. RECREATION

1. **General Plan implementation would not increase the use of parks or recreational facilities such that substantial deterioration would occur:** No significant adverse impacts are foreseen and no Findings or Statement of Overriding Effects are required.
2. **General Plan implementation may include the construction, use or expansion of recreational facilities that may adversely impact the environment.**
 - a. **POTENTIAL IMPACT:** Draft EIR pages 4.9-14 through 4.9-16 discuss the potential for project recreational facilities to adversely impact the environment.
 - b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the potentially significant environmental impacts associated with use or construction of recreational facilities.
 - c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
 - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. No further feasible mitigating policies and actions were identified in response to impacts determined during environmental review. Even with the implementation of the original

project components that would reduce potential adverse environmental impacts associated with recreational facilities and activities, the potential remains for significant adverse impacts.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
- iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant impacts associated with potential violation of water quality standards would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Adverse environmental impacts associated with recreation thus represent a significant and unavoidable project impact.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

G. AESTHETICS, LIGHT & GLARE, SCENIC RESOURCES

1. **General Plan implementation may have a substantial adverse effect on a scenic vista or scenic resources including trees, rock outcropping and historic building in a state scenic highway.**
 - a. **POTENTIAL IMPACT:** Draft EIR pages 4.10-12 through 4.10-14 discuss the potential for the project to adversely impact a scenic vista or scenic resources in a state scenic highway.
 - b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the potentially significant adverse project impacts on a scenic vista or scenic resources in a state scenic highway.
 - c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
 - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. In addition, further policies and actions were developed in response to impacts identified

during environmental review and incorporated directly into the project. These policies and actions have been included in the MMRP, are fully enforceable, and are listed below. However, even with the implementation of policies and actions that would reduce potential adverse environmental impacts on a scenic vista or scenic resources in a state scenic highway, the potential remains for significant adverse impacts.

MITIGATING POLICIES

C/OS Action 3.E.1.c. In issuing a water transfer permit, the Planning Commission shall make the following findings: that the proposed project meets all reasonable beneficial water needs, including uses in-stream and for agricultural operations and recreational purposes, within the basin of origin; and that the proposed project adequately protects water quality, in-stream flows, lake levels, riparian areas, vegetation types, sensitive/rare wildlife and habitat, and related resources such as the visual quality and character of the landscape; and is not likely to increase indirect effects such as flooding, wildfire, and/or sedimentation, or reduce groundwater recharge capacity. Projects that do not adequately protect these resources shall be denied.

LU Policy 7.B.3. Ensure that any transfer (by sale or lease) of surface water rights will not impact the natural resource values of the Bridgeport Valley.

RTP Policy 18.A.3. Support preservation of the existing heritage trees along US 395 in a manner that ensures roadway safety.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.
- iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to eliminate the potentially significant impacts on candidate and sensitive species would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Adverse impacts to scenic vistas or scenic resources in a state scenic highway thus represent a significant and unavoidable project impact.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project

objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

2. **General Plan implementation may substantially degrade the existing visual character or quality of a site in the County and surrounding areas.**

- a. **POTENTIAL IMPACT:** Draft EIR pages 4.10-14 through 4.10-15 discuss the potential for the project to degrade the visual character or quality of County sites and surrounding areas.
- b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the potentially significant degradation of the visual character or quality of County lands.
- c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
 - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. In addition, further policies and actions were developed in response to impacts identified during environmental review and incorporated directly into the project. These policies and actions have been included in the MMRP, are fully enforceable, and are listed below. However, even with the implementation of policies and actions that would reduce the potentially significant degradation of the visual character or quality of County lands, the potential remains for significant adverse impacts.

MITIGATING POLICIES

C/OS Action 2.A.3.c. When applicable, revegetation and landscape plans should include provisions to retain and re-establish upland vegetation, especially bitterbrush and sagebrush, as important mule deer and sage grouse habitat.

C/OS Action 13.C.4.d. Seek ways to form partnerships that will facilitate mitigative control or eradication of invasive non-native plants in and around town areas. Identify and explore methods of forming collaborations, funding, and facilitating such programs.

C/OS Policy 4.A.5. Projects within 30 feet of or that may otherwise impact wetland or riparian vegetation shall implement best management practices as recommended by the State Water Quality Control Board.

C/OS Policy 4.A.7. Continue to support "no net loss" of wetlands at a regional scale.

RTP Policy 18.A.3. Support preservation of the existing heritage trees along US 395 in a manner that ensures roadway safety.

C/OS Action 3.E.1.b. Applications for out-of-basin water transfers shall be submitted to the county Planning Division and shall include the following information: point of extraction; amount of extraction; nature and location of conveyance facilities; and identification of potential impacts to the environment such as wildlife and riparian habitat, wetlands, in-stream habitat, other water users (e.g., agricultural operators), and also including indirect effects such as the potential for increased flood risk due to reduced wetlands, and increased fire hazard risk that could result in increased sedimentation and reduced groundwater recharge capacity.

C/OS Action 3.E.1.c. In issuing a water transfer permit, the Planning Commission shall make the following findings: that the proposed project meets all reasonable beneficial water needs, including uses in-stream and for agricultural operations and recreational purposes, within the basin of origin; and that the proposed project adequately protects water quality, in-stream flows, lake levels, riparian areas, vegetation types, sensitive/rare wildlife and habitat, and related resources such as the visual quality and character of the landscape; and is not likely to increase indirect effects such as flooding, wildfire, and/or sedimentation, or

reduce groundwater recharge capacity. Projects that do not adequately protect these resources shall be denied.

C/OS Policy 3.E.2.b. Applications for groundwater export projects shall obtain a Groundwater Transfer permit (Mono County Code section 20.01), which requires the assessment of the potential impacts of the project prior to project approval in accordance with CEQA, and requires findings to be made. In addition, indirect impacts of increased wildfire risk and sedimentation resulting from fire, and increased flood risk and reduced recharge rates due to reduced or degraded wetlands and riparian areas, should be considered.

LU Policy 7.B.3. Ensure that any transfer (by sale or lease) of surface water rights will not impact the natural resource values of the Bridgeport Valley.

C/OS Action 5.C.2.i. Proactively collaborate with stakeholders to avoid and minimize impacts to water quality from livestock and grazing activities, and recognize and support the Regional Water Quality Control Board, Sierra Business Council and UC Davis incentives for ranchers to install and monitor the efficacy of grazing management practices in an effort to protect and improve water quality.

C/OS Policy 4.A.6. Discourage development within 30 feet of recharge, riparian, and wetland areas to minimize trampling, erosion and siltation impacts, and consider amending the General Plan to specify use and setback requirements. Continue to enforce setback requirements from surface waters.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce to less than significant levels the potential impacts on the visual character or quality of Mono County lands
- iii. **Facts and Reasoning that Support Finding.** The 2015 General Plan policies and actions would ensure that impacts are reduced, and the level of development allowed under the 2015 General Plan is less than currently allowed; however, the only method to eliminate the potentially significant degradation of the visual character or quality of County lands would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Degradation of the visual character or quality of Mono County lands is therefore a significant and unavoidable impact of the project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic

project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

3. **General Plan implementation may create new sources of substantial light or glare that would adversely affect day or nighttime views.**

- a. **POTENTIAL IMPACT:** Draft EIR page 4.10-16 discusses the potential for the project to create new sources of substantial light or glare that would adversely affect day or nighttime views.
- b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the potential for the project to create new sources of substantial light or glare that would adversely affect day or nighttime views.
- c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
 - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. No further feasible mitigating policies and actions were identified in response to impacts determined during environmental review. Even with the implementation of the original project components that would reduce the potential for the project to create new sources of substantial light or glare that would adversely affect day or nighttime views, the potential remains for significant adverse impacts.
 - ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce to less than significant levels the potential for new sources of substantial light and glare.
 - iii. **Facts and Reasoning that Support Finding.** The 2015 General Plan policies and actions would ensure that impacts are reduced, and the level of development allowed under the 2015 General Plan is less than currently allowed; however, the only method to eliminate the potential for the project to create new sources of substantial light or glare would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Creation of new sources of light and glare is thus a significant and unavoidable impact of the project.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

H. AGRICULTURE

No significant adverse impacts on agricultural resources are foreseen, and no Findings or Statement of Overriding Effects are required.

I. POPULATION AND HOUSING

No significant adverse impacts on population or housing are foreseen and no Findings or Statement of Overriding Effects are required.

J. PUBLIC SERVICES AND UTILITIES

1. **General Plan implementation may create a need for new or modified governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for police protection, school services, or other public services and utilities.**
 - a. **POTENTIAL IMPACT:** Draft EIR pages 4.13-15 through 4.13-21 discuss the potential for the project to create a need for new or modified governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for police protection, school services or other public services and utilities.
 - b. **MITIGATION MEASURES:** No feasible mitigation is available that would reduce to less than significant levels the potentially significant adverse project impacts on governmental services to ensure adequate levels of public services and utilities.
 - c. **FINDINGS:** Based upon the administrative record the Mono County Board of Supervisors finds:
 - i. **Effects of Mitigation and Remaining Impacts.** The Project, as originally designed, includes numerous components as described in Draft EIR Appendix D, Table 4.4-10, that minimize the severity of this impact. In addition, further policies and actions were developed in response to impacts identified during environmental review and incorporated directly into the project. These policies and actions have been included in the MMRP, are fully enforceable, and are listed below. However, even with the implementation of policies and actions that would reduce potential adverse environmental impacts associated with public services and utilities, the potential remains for significant adverse impacts.

MITIGATING POLICIES

C Policy 4.B.5. Work with special districts and other appropriate entities to meet community infrastructure needs such as water, sewer, fire protection, etc.

- ii. **Finding.** Specific economic, legal, social, technological, or other considerations, including the provision of employment opportunities to highly trained workers, make infeasible the implementation of additional mitigation measures or project alternatives identified in the final EIR that would reduce impacts to a less-than-significant level.

- iii. **Facts and Reasoning that Support Finding.** While the 2015 General Plan policies and actions would ensure that impacts are reduced, and although the level of development allowed under the 2015 General Plan is less than currently allowed, the only method to ensure adequate utility service levels would be to more severely restrict development potential within Mono County. Such a restriction would not meet the project objectives as described on Draft EIR pages 3-2 and 3-3 and listed under Impact A1 (Biology) above. Adverse impacts to public services and utilities therefore represent a significant and unavoidable project impact.

The Mono County economy is supported largely by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide for a level of development that would allow additional community development and services and facilities for visitors and residents. The project also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability. Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism occurs on public lands, with support facilities on private lands. It is anticipated that the county's economy will remain dependent on tourism and outdoor recreation due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The proposed level of development would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives listed under Impact A1 (Biology) above and provide economic, social, legal, and other considerable benefits as described in Section VII below.

2. **General Plan implementation would not result in a wasteful or inefficient consumption of energy:** No significant adverse impacts are foreseen and no Findings or Statement of Overriding Effects are required.
3. **General Plan implementation would not result in land uses that are served by a landfill with insufficient permitted capacity:** No significant adverse impacts are foreseen and no Findings or Statement of Overriding Effects are required.

K. NOISE

No significant adverse noise impacts noise are foreseen, and no Findings or Statement of Overriding Effects are required.

VII. STATEMENTS OF OVERRIDING CONSIDERATIONS

As required by Public Resources Code §21081(b) and CEQA Guidelines §15093, the County of Mono has balanced the benefits associated with the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* against the unavoidable adverse impacts that would result. The County has included all feasible mitigation measures as policies and action items within the *2015 Updates and Repeal of the Conway Ranch Specific Plan*. The County has also examined alternatives to the proposed project, and has determined that adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* as proposed is the most desirable, feasible, and appropriate action at this time. The other alternatives, while meritorious, are rejected as infeasible based on consideration of the relevant factors discussed in EIR Chapter 6.

A. Significant Unavoidable Impacts

Based on the information and analysis set forth in the EIR and summarized in Section III of these Findings, implementation of the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* would result in project-specific significant and unavoidable adverse impacts related to:

- **Biological Resources**, including candidate/sensitive/special status species, riparian habitat, wetlands, migration, and local biological resource protection ordinances
- **Soils and Geologic Hazards**, including exposure to seismic effects and unstable geologic structures, soil erosion, and loss of mineral resources
- **Health and Safety Hazards**, including potential release of hazardous substances, inadequate emergency response, and exposure to wildland fire risks
- **Cultural Resources**, including impacts to prehistoric or historic structures, paleontological resources, and sacred lands
- **Hydrology, Water Quality and Water Supplies**, including violation of water quality objectives, violation of waste discharge requirements, lack of adequate water supplies, and erosion and siltation from altered drainages
- **Recreation**, including impacts on recreational facilities and resources
- **Aesthetic and Visual Resources, Light and Glare**, including impacts to scenic resources in a state scenic highway, degraded visual character or quality, and new sources of light and glare
- **Public Services and Utilities**, including impacts on fire and utility services

BIOLOGICAL RESOURCES

Recreational activities, development, and population growth associated with the *2015 Updates and Repeal of the Conway Ranch Specific Plan* land uses and project activities would result in a wide range of impacts to biological resources including (a) permanent loss of habitat for special status species, (b) fragmentation of wildlife movement corridors and nursery sites, (c) direct and indirect impacts to special status species, (d) impacts to and loss of wetlands, (e) impacts to locally important floral and faunal resources, and (f) reduction and degradation of sensitive habitats. Biological resources are an important and limited resource and the direct and indirect impacts of implementation on these resources are considered to be significant, unavoidable and adverse.

Land uses and activities that are implemented under the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan*, if approved, would be subject to a wide range of goals, objectives, policies and actions that are intended to protect and enhance the biological resources of Mono County, including many policies and actions that were developed in the course of the environmental review process. However, even with implementation of these policies and actions, the land uses and activities associated with the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* have the potential to considerably contribute to a net reduction in valuable habitats, an increased human presence in the vicinity of special status species, and the loss of candidate/sensitive/special status species. No feasible mitigation is available to fully avoid the direct and cumulative effects on these resources, or to mitigate the contribution to a less-than-significant level. The proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* contribution to this cumulative impact is therefore considerable, and the impact is significant and unavoidable.

SOILS AND GEOLOGIC HAZARDS

Mono County lies at the boundary of the Sierra Nevada (one of the most geologically young and seismically active regions in North America) and the Basin and Range Province, and is subject to a wide range of geological forces that have produced significant tectonic, volcanic and glacial activity. A wide range of land uses and projects may be undertaken in future years if the *2015 Updates and Repeal of the Conway Ranch Specific Plan* are approved and implemented; these developments and activities, as well as the people who use them, will be subject to the potentially substantial hazards and risks arising from these forces. Mono County is also home to significant mineral resources, the recovery of which may be rendered infeasible if the proposed uses are implemented. The direct and indirect soil and geologic hazards that may be associated with implementation are therefore considered to be significant, unavoidable and adverse.

Land uses and activities that are implemented under the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan*, if approved, would be subject to a wide range of state regulations (including seismic standards that are among the most stringent in the world), as well as a wide range of goals, objectives, policies and actions that are intended to minimize geologic risks and hazards, and optimize the responsible recovery of mineral resources. However, the land uses and activities associated with the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* implementation will inevitably increase the exposure of people and structures to the considerable seismic, geologic and erosional hazards of this region, and also reduce the feasibility of mineral resource recovery. The enforcement of state regulations and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* policies and actions will reduce these direct and cumulative risks and hazards. However, no feasible mitigation is available to avoid the wide range of soils and geologic hazards, or to mitigate the risks of exposure to less-than-significant levels. The project contribution to this direct and cumulative impact is therefore considerable, and the potential impacts are significant, adverse and unavoidable.

HEALTH AND SAFETY HAZARDS

Mono County highways (particularly US 395 and US 6) are frequently used for the transport of hazardous substances, and there are a number of waste generation facilities located throughout the county. The county is home to three airports and numerous helipads, and is characterized by terrain that makes access difficult and weather conditions and other factors that are conducive to potentially destructive wildfire hazards. As a result of the geologic conditions noted above, many regions throughout Mono County are subject to avalanche, landslides, rockfall, volcanic activity and/or destructive winds. The expanded range and extent of land uses and activities that would result, if the *2015 Updates and Repeal of the Conway Ranch Specific Plan* are approved and implemented, will substantially increase the number of people and structures that are exposed to these wide ranging health and safety hazards. The direct and indirect health and safety hazards that may be associated with implementation are therefore considered to be significant, unavoidable and adverse.

All of the uses and activities implemented under the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* would be subject to wide-ranging regulations (at the federal, state and local/regional levels), and numerous Mono County goals, objectives, policies and actions that are intended to minimize health and safety risks and hazards. However, the land uses and activities associated with the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* implementation will inevitably increase the exposure of people and structures to the considerable health and safety hazards of this region. The enforcement of state regulations and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* policies and actions will reduce these direct and cumulative risks and hazards. However, no feasible mitigation is available to avoid the wide range of health and safety hazards, or to mitigate the risks of exposure to less-than-significant levels. The project contribution to this direct and cumulative impact is therefore considerable, and the potential impacts are significant, adverse and unavoidable.

CULTURAL RESOURCES

Mono County cultural resources have been shaped by numerous historical and cultural influences that include Native Americans, miners, ranchers, trappers, the military, forestry, and federal and local land managers and governmental.

Though little is known of the paleontology of the region, there is evidence that a marine environment existing prior to the onset of volcanic activity. The significant history of Native American tribes in the region indicates a wide presence of Sacred Lands, many of which are unrecorded. Despite the significant cultural heritage, however, only a limited area has been properly surveyed for historic and paleontological resources, and the Native American tribes are generally reluctant or unwilling to share information about sacred sites. Lacking baseline data, Mono County is not equipped to develop informed policies and actions that would prohibit or restrict access to vulnerable areas. As a result, there is a significant potential that historic, paleontological and sacred lands may be disturbed, vandalized or destroyed as a direct or indirect consequence of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* implementation. Such impacts are potentially significant, unavoidable and adverse

Land uses and activities that are implemented under the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* would be subject to a wide range of regulations (state, federal and local) and to a wide range of Mono County goals, objectives, policies and actions that are intended to minimize the potential for loss or damage to cultural resources. However, the lack of baseline information, coupled with the increased range and number of land uses, activities and people associated with the project, will inevitably increase the potential that the cultural resources of Mono County will be damaged and, in some instances, lost to future generations. The enforcement of regulations and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* policies and actions will reduce these direct and cumulative risks. However, no feasible mitigation is available to avoid the potential damage to or loss of cultural sites and artifacts, or to mitigate the risks of such impacts to less-than-significant levels. The project contribution to this direct and cumulative impact is therefore considerable, and the potential impacts are significant, adverse and unavoidable.

HYDROLOGY, WATER QUALITY, WATER SUPPLY

Recreational activities, development, and population growth associated with the *2015 Updates and Repeal of the Conway Ranch Specific Plan* land uses and project activities would result in a wide range of impacts to hydrologic resources including (a) violations of water quality objectives established by the Lahontan Regional Water Quality Control Board (LRWQCB) to protect the beneficial uses of waters in the county; (b) violation of waste discharge requirements established by LRWQCB to protect waters from the potentially significant adverse effects of point-source and non-point source discharges; (c) lack of water supplies adequate to serve planned future uses; and (d) degradation of ground and surface water supplies resulting from erosion and siltation due to altered drainages. Many of the county's hydrologic resources are classified as 'high quality waters,' indicating that their value contributes not only to Mono County but also to the welfare of the people of California as a whole. The direct and indirect adverse effects on these resources that may result from implementation are therefore considered to be significant, unavoidable and adverse.

Land uses and activities that are implemented under the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* would be subject to a very wide range of regulations (federal, state and local) as well as the *2015 Updates and Repeal of the Conway Ranch Specific Plan* goals, objectives, policies and actions that have been proposed to protect and enhance the hydrologic resources of Mono County (many of which were developed in the course of the environmental review process). However, even with implementation of these policies and actions, the land uses and activities associated with the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* have the potential to increase the number and range and distribution of violations to water quality objective and waste discharge requirements, to exacerbate potential limitations on water supply, and to increase the impacts to ground and surface waters resulting from siltation and erosion. No feasible mitigation is available to fully avoid the direct and cumulative effects on these resources, or to mitigate the contribution to a less-than-significant level. The proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* contribution to this cumulative impact is therefore considerable, and the impact is significant and unavoidable.

RECREATION

Recreation is associated with a wide range of significant and adverse environmental effects. The adverse effects include damage to plants, displaced soil organisms, compaction of mineral soils, nutrient loading, introduction of non-native invasive species, habitat fragmentation, microclimatic changes, and disturbance to the movement, nesting and

behavior of wildlife. The direct and indirect impacts of implementation on these recreational resources are considered to be significant, unavoidable and adverse.

Recreation is also associated with numerous benefits (strengthened communities and social bonds, improved health and longevity, diminished risk of disease and enhanced immune systems, safer and cleaner neighborhoods, increased volunteerism and stewardship), the goal of enhanced recreational opportunities is central to the Mono County *2015 Updates and Repeal of the Conway Ranch Specific Plan*. Recreational uses and activities that are implemented under the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* would be subject to a wide range of regulations (federal, state and local) as well as the extensive list of *2015 Updates and Repeal of the Conway Ranch Specific Plan* goals, objectives, policies and actions that are intended to protect and enhance the recreational resources of Mono County. However, the implementation of these policies and actions will not reduce to less than significant levels the potential adverse effects described in Draft EIR §4.9 and briefly summarized above. No feasible mitigation is available to fully avoid or substantially reduce the direct and cumulative effects on these resources. The proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* contribution to this direct and cumulative impact is thus considerable, and the impact is significant, adverse and unavoidable.

AESTHETICS AND VISUAL RESOURCES

Land uses associated with the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* would allow for a wide range of development to occur in areas that are now undeveloped, or have historically been used for agricultural operations. The introduction of new development into previously undisturbed areas or areas that have been historically used for agricultural operations may result in potentially significant impacts to scenic resources, including scenic resources in state scenic highways, may degrade the visual character of Mono County, and may introduce new sources of light and glare that could impact daytime and nighttime views. The direct and indirect impacts of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* implementation on these visual and aesthetic resources are considered to be significant, unavoidable and adverse.

Land uses and activities that are implemented under the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* would be subject to numerous Mono County goals, objectives, policies and actions that are intended to protect and enhance the substantial visual and aesthetic resources of this region, as well as the formidable regulations created by the National Forest Service, BLM and Caltrans to protect the aesthetic resources of lands under their jurisdiction. The regulations and policies will minimize the direct and cumulative adverse effects of development on aesthetic and visual resources. However, no feasible mitigation is available to avoid the impacts to these resources or to mitigate the risks of such impacts to less-than-significant levels. The project contribution to direct and cumulative impacts on aesthetic and visual resources is therefore considerable, and the potential impacts are significant, adverse and unavoidable.

PUBLIC SERVICES AND UTILITIES

Several of the special districts throughout Mono County are struggling to meet existing demands, and may be unprepared to meet the added demands associated with future growth that would result if the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* are approved and implemented. Issues of particular concern include fire districts with uncertain availability of reliable future water supplies, fire districts with low ISO ratings, fire districts with an insufficient pool of volunteers, areas with access inadequate to assure emergency services, and a general absence of long-term planning documents. These shortcomings have potentially significant ramifications for public health and welfare. The potential for adverse consequences would be amplified by the added service demands associated with project implementation. The direct and indirect impacts of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* implementation on these public services and utilities are considered to be significant, unavoidable and adverse.

The land uses and activities that would be implemented under the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* would be subject to Mono County goals, objectives, policies and actions that are intended to strengthen the provision and delivery of public services and thereby protect the public welfare. The proposed policies and actions will somewhat attenuate the direct and cumulative adverse effects of development on public services and

utilities. However, no feasible mitigation is available to avoid the added burden on these services, or to mitigate the risks of such impacts to less-than-significant levels. The project contribution to direct and cumulative impacts on public services and utilities is therefore considerable, and the potential impacts are significant, adverse and unavoidable.

B. Benefits of the Proposed General Plan and Overriding Considerations

The County of Mono has independently reviewed the information in the EIR and the record of proceedings for the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* project. The County has also made a reasonable and good faith effort to eliminate or substantially lessen the impacts that would result from the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* project by including policies and actions that effectively mitigate potential environmental impacts to the greatest extent feasible, and has balanced the project's benefits against the project's significant unavoidable impacts.

Mono County's economy is primarily supported by tourism and outdoor recreation, with agriculture also a significant source of revenue and employment. The project provides for a level of development that would allow additional community development as well as additional services and facilities for visitors and residents. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* update also allows for recreational development throughout the county, which would contribute to the county's economic growth and stability.

Development opportunities in Mono County are highly constrained by the extremely limited private land base (6% of all lands within the County are private). Much of the recreation and tourism in the county occurs on publicly owned lands, with support facilities on private lands. It is anticipated that the county's economy will remain primarily dependent on tourism and outdoor recreation, largely due to the limited private land base, extensive environmental constraints on development, and distance from urbanized areas. The local economy has experienced annual fluctuations (at times extreme) due to the seasonal nature of many recreational experiences available in the county. In order to stabilize the economy, it is necessary to expand the range of year-round recreational/tourist opportunities throughout the county.

The *2015 Updates and Repeal of the Conway Ranch Specific Plan* project provides for a level of development that allows community areas to develop additional services and facilities that would support a balanced mix of land uses. Additional recreational development would in turn create job opportunities for area residents, and would benefit Mono County through increased revenues to the County, particularly in the form of additional transient occupancy taxes, sales taxes, and property taxes.

In addition to the economic benefits outlined above, adoption and implementation of the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project would implement all of the basic project objectives and provide the following economic, social, legal, and other considerable benefits as described below:

1. *Respect Community Preferences:* The *2015 Updates and Repeal of the Conway Ranch Specific Plan* have been through a community-based process anchored by extensive meetings with the Regional Planning and Advisory Committees, the Planning Commission, the Board of Supervisors and a host of federal, state and local planning partners. These collaborations have been designed to ensure that the *2015 Updates and Repeal of the Conway Ranch Specific Plan* programs respect community preferences and private property rights, and represent a considered balance of the goals, aspirations and capabilities of residents and special interest groups in each community and planning area.
2. *Protect the Outstanding Scenic, Recreational and Environmental Resources of Mono County:* The *2015 Updates and Repeal of the Conway Ranch Specific Plan* place a primary emphasis on preservation and responsible environmental stewardship of the abundant and outstanding visual, biological, geologic, natural, cultural, agricultural, and historic resources that uniquely define the character and ecological importance of Mono County. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* provide a series of land use maps and a wide range of GIS maps and tools that depict existing development, physical constraints, agricultural preservation, recreational and economic development, geologic and public safety hazards, and incompatible uses. The land use maps assigns densities and

use types to all county lands with the specific intent to enhance safety, livability, and economic vitality in accordance with the needs and wishes of individual Mono County communities and planning areas.

3. *Facilitate Streamlining and Tiering of Future CEQA Documents and Provide Incentives for General Plan Compliance:* The *2015 Updates and Repeal of the Conway Ranch Specific Plan* set forth CEQA procedures designed to minimize redundant cost and effort, and promote community-based and environmentally-sustainable land uses that can be implemented with minimal regulation if consistent with the adopted plans.
4. *Strengthen County Infrastructure:* The *2015 Updates and Repeal of the Conway Ranch Specific Plan* programs focus on activities that will balance the need for adequate infrastructure, housing, and economic vitality with the need for resource management, agricultural preservation, environmental protection, and preservation of a high quality of life for Mono County residents and visitors.
5. *Promote Resource Efficiency:* The *2015 Updates and Repeal of the Conway Ranch Specific Plan* improve mobility options through the development of a multi-modal transportation network that enhances connectivity, supports community and recreational development patterns and goals, minimizes traffic congestion, improves emergency access, promotes public and alternative transportation, strengthens communities through improved Main Street design elements, and increases inter- and intraregional circulation networks. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* also incorporate robust programs to minimize the adverse environmental effects associated with global climate change by implementing practices and policies that limit emissions, promote the efficient use of resources, and support regulations and developments and land use patterns that reduce greenhouse gas emissions.
6. *Strengthen the Mono County Economy and Support Vibrant Rural Communities:* The *2015 Updates and Repeal of the Conway Ranch Specific Plan* include initiatives to enhance the economic vitality of Mono County communities through an expanded range of opportunities for recreational and business development, with supportive service and infrastructure improvement plans. The *2015 Updates and Repeal of the Conway Ranch Specific Plan* programs implement core Mono County principles of sustainable growth by concentrating new development in and directly adjacent to existing communities, thereby minimizing land consumption while maintaining the open space, visual, habitat, recreational, and agricultural uses that support vibrant rural communities throughout the Planning Area.

VIII. CONCLUSION

After balancing the specific economic, legal, social, technological, and other benefits of the proposed project, the Mono County Board of Supervisors finds that the unavoidable adverse environmental impacts associated with the *2015 Updates and Repeal of the Conway Ranch Specific Plan* project may be considered "acceptable" due to the specific considerations listed above, which outweigh the unavoidable, adverse environmental impacts of the proposed project. The Mono County Board of Supervisors has considered information contained in the EIR prepared for the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* project, as well as the public testimony and record of proceedings in which the project was considered. Recognizing that significant unavoidable impacts may result from implementation of the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan*, the Board of Supervisors finds that the benefits of the General Plan and overriding considerations outweigh the adverse effects of the Project. Having included all feasible mitigation measures as policies and actions in the project, and having recognized and acknowledged all unavoidable significant impacts, the Board of Supervisors hereby finds that each of the separate benefits of the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* project, as stated herein, represents an overriding consideration that warrants adoption of the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan* and outweighs and overrides its unavoidable significant effects, and thereby justifies the adoption and implementation of the proposed *2015 Updates and Repeal of the Conway Ranch Specific Plan*.

Based on the foregoing findings and the information contained in the record, the Board of Supervisors hereby determines that:

1. All significant effects on the environment due to implementation of the proposed *2015 County of Mono Regional Transportation Plan, General Plan, Countywide Integrated Waste Management Plan, and Noise Ordinance Updates; and Repeal of the Conway Ranch Specific Plan* project have been eliminated or substantially lessened where feasible;
2. There are at the present time no feasible alternatives to the proposed *2015 County of Mono Regional Transportation Plan, General Plan, Countywide Integrated Waste Management Plan, and Noise Ordinance Updates; and Repeal of the Conway Ranch Specific Plan* project that would mitigate or substantially lessen the impacts; and
3. The remaining significant effects on the environment found to be adverse and unavoidable are acceptable due to the factors described in the Statement of Overriding Considerations above.