



AGENDA

BOARD OF SUPERVISORS, COUNTY OF MONO STATE OF CALIFORNIA

Regular Meetings: The First, Second, And Third Tuesday of each month. Location of meeting is specified at far right.

Regular Meeting

MEETING LOCATION County Courthouse, Bridgeport, CA 93517

December 4, 2012

TELECONFERENCE LOCATIONS: 1) First and Second Meetings of Each Month: Mammoth Lakes CAO Conference Room, 3rd Floor Sierra Center Mall, 452 Old Mammoth Road, Mammoth Lakes, California, 93546; 2) Third Meeting of Each Month: Mono County Courthouse, 278 Main, 2nd Floor Board Chambers, Bridgeport, CA 93517. Board Members may participate from a teleconference location. Note: Members of the public may attend the open-session portion of the meeting from a teleconference location, and may address the board during any one of the opportunities provided on the agenda under Opportunity for the Public to Address the Board.

NOTE: In compliance with the Americans with Disabilities Act if you need special assistance to participate in this meeting, please contact the Clerk of the Board at (760) 932-5534. Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting (See 42 USCS 12132, 28CFR 35.130).

Full agenda packets are available for the public to review in the Office of the Clerk of the Board (Annex I - 74 North School Street, Bridgeport, CA 93517), and in the County Offices located in Minaret Mall, 2nd Floor (437 Old Mammoth Road, Mammoth Lakes CA 93546). Any writing distributed less than 72 hours prior to the meeting will be available for public inspection in the Office of the Clerk of the Board (Annex I - 74 North School Street, Bridgeport, CA 93517). **ON THE WEB:** You can view the upcoming agenda at www.monocounty.ca.gov. If you would like to receive an automatic copy of this agenda by email, please send your request to Lynda Roberts, Clerk of the Board : lroberts@mono.ca.gov.

UNLESS OTHERWISE SPECIFIED BY TIME, ITEMS SCHEDULED FOR EITHER THE MORNING OR AFTERNOON SESSIONS WILL BE HEARD ACCORDING TO AVAILABLE TIME AND PRESENCE OF INTERESTED PERSONS. PUBLIC MAY COMMENT ON AGENDA ITEMS AT THE TIME THE ITEM IS HEARD.

9:00 AM

Call meeting to Order

Pledge of Allegiance

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD on items of public interest that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

Approximately thru **CLOSED SESSION**
10:30 a.m.

BOARD OF SUPERVISORS

1a) Closed Session--Human Resources - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph, Brian Muir, and Jim Arkens. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39--majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

1b) Conference with Legal Counsel - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9. Number of potential cases: one. Facts and circumstances: dispute regarding Conway Ranch grant compliance.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD on items of public interest that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

2) APPROVAL OF MINUTES

A. Approve minutes of the Regular Meeting held on November 6, 2012.

B. Approve minutes of the Regular Meeting held on November 13, 2012.

3) BOARD MEMBER REPORTS

The Board may, if time permits, take Board Reports at any time during the meeting and not at a specific time.

Approximately 10 Minutes **COUNTY ADMINISTRATIVE OFFICE**

4) CAO Report regarding Board Assignments (Jim Arkens)
RECOMMENDED ACTION: Receive brief oral report by County Administrative Officer (CAO) regarding his activities.

10:30 a.m. **Approximately 15** **minutes** **DEPARTMENT REPORTS/EMERGING ISSUES** (PLEASE LIMIT COMMENTS TO FIVE MINUTES EACH)

Approximately 5
minutes for
Consent Items

CONSENT AGENDA

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

COMMUNITY DEVELOPMENT - PLANNING DIVISION

5a) Antelope Valley RPAC Appointment - Consider appointment of Victoria Victor to the Antelope Valley Regional Planning Advisory Committee (AVRPAC), as recommended by Supervisor Hansen and AVRPAC.

Recommended Action: Appoint Victoria Victor to the Antelope Valley Regional Planning Advisory Committee.

Fiscal Impact: None.

COUNTY COUNSEL

6a) Approve Mammoth Community Water District's Amended Conflict of Interest Code - The Political Reform Act, Gov. Code sections 81000, et seq. requires public agencies to conduct a biennial review and update of their conflict of interest codes. As such, the Mammoth Community Water District has amended its Conflict of Interest Code by Ordinance No. 10-18-12-12 and seeks approval of its new Conflict of Interest Code by the Mono County Board of Supervisors, its code-reviewing body.

Recommended Action: Approve the Mammoth Community Water District's Conflict of Interest Code,

as amended by Mammoth Community Water District Ordinance No. 10-18-12-12.

Fiscal Impact: None.

ELECTIONS

- 7a) Certification of November 6, 2012, General Election** - Certification of County Clerk-Registrar of Voters of the results of the canvass of the November 6, 2012, General Election.

Recommended Action: Receive and approve as correct the Statement of Votes for the November 6, 2012, General Election, and declare elected to each office voted on under the jurisdiction of the Board of Supervisors, the person having the requisite number of votes.

Fiscal Impact: None.

- 7b) Mono County Resource Conservation District** - Reappointments to the Mono County Resource Conservation District.

Recommended Action: Reappoint Jim Reid and Hal Curti to the board of the Mono County Resource Conservation District.

Fiscal Impact: None.

REGULAR AGENDA

CORRESPONDENCE RECEIVED (INFORMATIONAL)

All items listed are available for review and are located in the Office of the Clerk of the Board

CLERK OF THE BOARD

- 8a) No Correspondence Received**

SHERIFF CORONER

- 9a) Appointment to Fill the Unexpired Term of Sheriff-Coroner Richard Scholl** (Sheriff Richard C. Scholl) - Sheriff Richard C. Scholl has decided to retire from his elected position as Sheriff-Coroner of Mono County effective December 20, 2012. The unexpired term continues until December 2014. It is imperative that the County have a person in place as the Sheriff-Coroner to perform all mandated functions and responsibilities as required in the Government Code.

15 minutes

Recommended Action: Recommend that the Board of Supervisors discuss and make recommendations to fulfill the remaining unexpired term of Sheriff-Coroner upon the current Sheriff's retirement to be effective at 5:00 p.m. on December 20, 2012.

Fiscal Impact: There is no increase or decrease to the current budget for the position of Sheriff-Coroner; however, there could be savings realized with the realignment of the management positions within the Sheriff's Office. Actual costs savings are unknown at this time.

COUNTY COUNSEL

- 10a) Ordinance re Public Use of Conway Ranch** (Marshall Rudolph) - Proposed ordinance amending sections 13.40.010 and 13.40.020 of the Mono County Code, pertaining to public use of Conway Ranch.

10 minutes

Recommended Action: Introduce, read title, and waive further reading of proposed ordinance. Provide any desired direction to staff.

Fiscal Impact: None.

INFORMATION TECHNOLOGY

Additional Departments: County Counsel

- 11a) Amendment to California Broadband Cooperative License Agreement** (Nate Greenberg and Marshall Rudolph) - Proposed resolution approving a first amendment to the license agreement with California Broadband Cooperative, Inc. for use of County land for node sites, community service cabinets, and anchor sites, and for use of County rights of way for underground fiber optic transmission

15 minutes

lines.

Recommended Action: Adopt proposed Resolution R12-___, approving a first amendment to the license agreement with California Broadband Cooperative, Inc. for use of County land for node sites, community service cabinets, and anchor sites, and for use of County rights of way for underground fiber optic transmission lines.

Fiscal Impact: None.

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OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD on items of public interest that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

COMMUNITY DEVELOPMENT - PLANNING DIVISION

Additional Departments: County Counsel, Public Works

12a)

Public Hearing
1:00 p.m.
45 minutes

Public Hearing - White Mountain Estates Specific Plan Amendment and Modification to Tentative Tract Map 37-46 (Gerry Le Francois) - White Mountain Estates Specific Plan Amendment and Tentative Tract Map Modification to eliminate speed hump on White Mountain Estates Road; eliminate per lot recreation fees; and eliminate housing mitigation requirements.

Recommended Action: Adopt proposed resolution, which includes the following actions: A) Adoption of the attached addendum to the Final EIR for the White Mountain Estates Specific Plan; B) Approval of an amendment to the White Mountain Estates Specific Plan, Policy 2B, Program 2B (housing mitigation); Program 5-D (tabletop speed hump); and Policy 17A and Program 17A (per lot recreation fee); and C) Approve modification to Tentative Tract Map 37-46 Mitigation Monitoring and Conditions #2, and #31 with supporting findings.

Fiscal Impact: Approximately \$40,000 of development impact fees for recreational improvements.

PUBLIC WORKS - ROAD DIVISION

13a)

20 minutes

Auchoberry Pit (Jeff Walters) - The steep slopes of the Auchoberry Pit were graded in 2009-10 to reduce potential safety related concerns. The slopes have seen some natural vegetation take root since the grading was completed but additional revegetation may be necessary to minimize erosion and improve the appearance of the former pit.

Recommended Action: Receive staff report regarding the Auchoberry Pit. Provide any desired direction to staff.

Fiscal Impact: This item is for informational purposes only. There is no General Fund impact at this time.

13b)

20 minutes

Motor Pool - Potential Extension of Useful Mileages (Jeff Walters) - Mono County's Motor Pool vehicles have a predetermined useful mileage for each type of vehicle. Potentially extending the useful mileage may reduce overall costs associated with purchasing replacement vehicles.

Recommended Action: Hear staff report regarding useful mileage on Motor Pool vehicles. Provide any desired direction to staff.

Fiscal Impact: None at this time.

13c)

30 minutes

Paradise Split Rail Fence (Jeff Walters) - Through the Mono County Public Works encroachment permit process a split rail fence was installed in the County's Right-of-Way on Lower Rock Creek Road. The Board of Supervisors requested Public Works provide potential options which may resolve some of the issues brought up by residents at a previous Board meeting in Paradise.

Recommended Action: Consider potential options proposed by Public Works for resolving issues regarding a split rail fence installed in the community of Paradise. Provide any desired direction to staff.

Fiscal Impact: None at this time.

ADJOURNMENT

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OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE	December 4, 2012	DEPARTMENT	Board of Supervisors
ADDITIONAL DEPARTMENTS			
TIME REQUIRED		PERSONS APPEARING BEFORE THE BOARD	
SUBJECT	Closed Session--Human Resources		

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph, Brian Muir, and Jim Arkens. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39--majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Jim Arkens

PHONE/EMAIL: 760-932-5413 / jarkens@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)

No Attachments Available

History

Time	Who	Approval
9/28/2012 10:01 AM	County Administrative Office	Yes
11/28/2012 2:26 PM	County Counsel	Yes
9/28/2012 10:02 AM	Finance	Yes



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE	December 4, 2012	DEPARTMENT	Board of Supervisors
ADDITIONAL DEPARTMENTS			
TIME REQUIRED		PERSONS APPEARING BEFORE THE BOARD	
SUBJECT	Conference with Legal Counsel		

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9. Number of potential cases: one. Facts and circumstances: dispute regarding Conway Ranch grant compliance.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SUBMIT THE ORIGINAL DOCUMENT WITH ATTACHMENTS TO THE OFFICE OF THE COUNTY ADMINISTRATOR
**PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING**

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)

No Attachments Available

History

Time	Who	Approval
11/28/2012 11:18 AM	County Administrative Office	Yes
11/28/2012 2:25 PM	County Counsel	Yes
11/27/2012 4:44 PM	Finance	Yes



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE	December 4, 2012	DEPARTMENT	Clerk of the Board
ADDITIONAL DEPARTMENTS			
TIME REQUIRED		PERSONS APPEARING BEFORE THE BOARD	
SUBJECT	Board Minutes		

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

A. Approve minutes of the Regular Meeting held on November 6, 2012.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Shannon Kendall
PHONE/EMAIL: x5533 / skendall@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH ATTACHMENTS TO THE OFFICE OF THE COUNTY ADMINISTRATOR **PRIOR TO 5:00 P.M. ON THE FRIDAY 32 DAYS PRECEDING THE BOARD MEETING**

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
 [11-6-12 Draft](#)

History

Time	Who	Approval
11/14/2012 9:50 AM	County Administrative Office	Yes
11/28/2012 2:28 PM	County Counsel	Yes
11/14/2012 11:52 AM	Finance	Yes



DRAFT MEETING MINUTES
BOARD OF SUPERVISORS, COUNTY OF MONO
STATE OF CALIFORNIA

Regular Meetings: The First, Second, and Third Tuesday of each month. Location of meeting is specified at far right.

Regular Meeting

MEETING LOCATION
County Courthouse,
Bridgeport, CA 93517

November 6, 2012

Flash Drive	File #1011
Minute Orders	M12-231 to M12-242
Resolutions	R12- 76 NOT USED
Ordinance	Ord12-04 NOT USED

9:01 AM Meeting called to Order by Chairwoman Bauer.

*Supervisors Present: Bauer, Hansen, Hazard, Hunt and Johnston.
Supervisors Absent: None.*

Pledge of Allegiance led by Supervisor Hansen.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

Closed Session: 9:02 a.m.

Break: 10:41 a.m.

Reconvene: 10:50 a.m.

Lunch/Closed Session: 12:11 p.m.

Reconvene: 1:45 p.m.

Closed Session: 5:32 p.m.

Adjourn: 6:00 p.m.

CLOSED SESSION

There was nothing to report out of either closed session.

BOARD OF SUPERVISORS

- 1a) Closed Session - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9. Number of potential cases: one.
- 1b) Closed Session - CONFERENCE WITH LEGAL COUNSEL – EXISTING

Note

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

LITIGATION. Subdivision (a) of Government Code section 54956.9.
Name of case: U.S. v. Walker River Irrigation District et al.

- 1c) Closed Session - Conference with Legal Counsel - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9. Number of potential cases: one. Facts and circumstances: dispute related to Conway Ranch grant compliance.
- 1d) Closed Session - Conference with Legal Counsel - CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Subdivision (a) of Government Code section 54956.9. Name of case: Richard Luman v. Mono County Personnel Appeals Board et al.
- 1e) Closed Session - Conference with Legal Counsel - CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Subdivision (a) of Government Code section 54956.9. Name of case: M. McGovern worker's compensation case.
- 1f) Closed Session - Conference with Legal Counsel - CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Subdivision (a) of Government Code section 54956.9. Name of case: J. Madrid worker's compensation and personnel appeals cases.
- 1g) Closed Session - Conference with Real Property Negotiators - CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: 71 Davison Street, Mammoth Lakes, CA. Agency negotiators: Jim Arkens, Brian Muir, Marshall Rudolph, and Robin Roberts. Negotiating parties: Mono County and Aleksandar Cvetkovic. Under negotiation: terms of payment.
- 1h) Closed Session - Performance Evaluation - PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Counsel.
- 1i) Closed Session--Human Resources - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph, Brian Muir, and Jim Arkens. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39--majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Note

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Laura (The Sheet):

- Discussion regarding delivery locations of paper.
- Supervisor Bauer to sponsor item on upcoming agenda to discuss this.
- Marshall Rudolph: Full contract vs. partial contract – there seems to be confusion.

2) **APPROVAL OF MINUTES**

M12-231 Action: Approve minutes of the Regular Meeting held on October 9, 2012.
Hunt moved; Hansen seconded
Vote: 5 yes; 0 no

M12-232 Action: Approve minutes of the Regular Meeting held on October 16, 2012.
Hansen moved; Johnston seconded
Vote: 5 yes; 0 no

3) **BOARD MEMBER REPORTS**

Supervisor Bauer:

- Deferred due to time constraints.

Supervisor Hansen:

- Deferred due to time constraints.

Supervisor Hazard:

- Deferred due to time constraints.

Supervisor Hunt:

- Deferred due to time constraints.

Supervisor Johnston:

- Deferred due to time constraints.

COUNTY ADMINISTRATIVE OFFICE

4) **CAO Report regarding Board Assignments (Jim Arkens)**
ACTION: Receive brief oral report by County Administrative Officer (CAO) regarding his activities.
Jim Arkens:

- Deferred due to time constraints.

DEPARTMENT REPORTS/EMERGING ISSUES

(PLEASE LIMIT COMMENTS TO FIVE MINUTES EACH)

Louis Molina (Environmental Health):

- AB 1616 – allows certain types of food to be prepared in your own kitchen.
- Direct sales type operations with Health Department review vs. indirect sales where people could sell to restaurants and store. Discussions ongoing as to what's allowable.
- Coalition working on this at the local level. Goes into effect January 1st.
- Supervisor Hazard: asked question about marijuana products (Louis: not one of the foods that would be allowable).

Stacey Simon:

- Giving update for Scott Burns.
- Explained how the November 13th appeals need to be heard.

Note

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Garrett Higerd:

Bryant Field:

- Has been reopened for full use for three weeks. Contractor did a very good job; would like the Board to take a field trip out there.
- There are a few punch list items being finished.
- Will be working on new airport improvement plan; additional projects are being identified; he has received a call regarding the feasibility of constructing and leasing a hangar at Bryant Field.
- Supervisor Johnston: thanked Garrett for his recent work on various projects; noticed there is still no snow stakes on the airport road? (Jeff Walters: will be installed early next week or late next week.)

Rock Creek Road Project:

- Received the 30% design of the Project Plans – FHWA has been working on this to rehabilitate the road. A portion is in Inyo.
- Looked into applying for a rubberized asphalt grant for various roads; the size of the project would fit but the problem with this grant is that it only covers certain costs – we'd need \$750,000 to repave the road.

Jeff Walters:

- Results of Recent Auction of Surplus Equipment – on October 13th held by TNT.
- Five vehicles, three snowmobiles and various other equipment - over \$37,000. Mono County received a check for over \$35,000.

CONSENT AGENDA

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

COMMUNITY DEVELOPMENT - PLANNING DIVISION

5a) Bridgeport RPAC - Appointment of two members to the Regional Planning Advisory Committee for Bridgeport Valley.

M12-233 **Action:** Appoint Mike Booher and Erinn Wells to the Bridgeport Valley Regional Planning Advisory Committee with terms expiring in January 2014.

Hazard moved; Hunt seconded

Vote: 4 yes; 1 no: Johnston

Supervisor Johnston:

- Pulled item from consent agenda for discussion.
- Understands that one of the people up for appointment is a county employee, he does not support this.
- He feels it creates the potential for conflict as staff to the RPAC.

Supervisor Hansen:

- He thinks that there is no conflict; he supports all new members.

Supervisor Bauer:

- Becoming a county employee should not alter your citizenship in the county; they should be able to do both.

Supervisor Hazard:

- Not a discussion limited to RPACS; he's thankful that county employees WANT to participate.

Supervisor Hunt:

- He agrees with Supervisor Hazard; employees can excuse themselves if there is a conflict.

Note

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

AMBULANCE PARAMEDICS

- 6a) Emergency Medical Care Committee (EMCC) Appointment - Appoint Ales Tomaier to the Mono County EMCC for a term of two years, replacing Bob Rooks as the representative of the Mono County Fire Chief's Association.

M12-234 **Action:** Appoint Ales Tomaier to the Mono County EMCC for a term of two years, replacing Bob Rooks as the representative of the Mono County Fire Chief's Association.

Hunt moved; Hansen seconded

Vote: 5 yes; 0 no

REGULAR AGENDA

CORRESPONDENCE RECEIVED

(INFORMATIONAL)

All items listed are available for review and are located in the Office of the Clerk of the Board

CLERK OF THE BOARD

- 7a) Bridgeport RPAC Letter of Appreciation - Letter of appreciation from Benny Romero of the Bridgeport RPAC thanking Hank Cole for his service throughout the years.

Supervisor Johnston:

- Pulled item from agenda for discussion.
- Hit and miss on recognition of these folks.
- There should be something coming from the Board to show their appreciation.
- It's in the Planning Department's realm to figure it out.
- It's his suggestion that we have a protocol for ALL commissions.

Supervisor Hansen:

- Most of the time someone on the RPACS wants to handle this, he thinks it's appropriate as-is.
- Is there one person in Planning or Community Development that should really be responsible for this?

Supervisor Bauer:

- She thinks that each RPAC should handle their own way of recognizing members.
- The RPACS are independent.

Supervisor Hazard:

- Has a difficult time believing that the Planning Dept. staff has a role in this.

- 7b) Brian Muir Letter of Resignation - Correspondence from Brian Muir dated October 29, 2012 resigning from his position and thanking the citizens of Mono County for allowing him to serve as their first Finance Director.

Supervisor Bauer:

- Thanked Brian; he has made a big difference in Mono County.

The Board acknowledged receipt of the correspondence.

Note

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

FINANCE

- 8a) Quarterly Investment Report (Brian Muir) - Receive quarterly investment report for the period ending September 30, 2012.

Action: None.

Brian Muir:

- Gave explanation of item.
- Went over various details of report.
- He is going to provide suggestions to the Board.

SOCIAL SERVICES

Additional Departments: Human Resources

- 9a) Approval to Fill Vacant Position (Julie M. Tiede) - Request for approval to fill vacant Social Worker III position.

M12-235 **Action:** Approve the Department of Social Services' filling of the vacant Social Worker III position.

Hunt moved; Hansen seconded

Vote: 5 yes; 0 no

Julie Tiede:

- She's specifically asking to hire a level III – there are currently two new social workers, she needs an additional one with some experience.

HUMAN RESOURCES

Additional Departments: Probation

- 10a) Authorization to Fill FTS IV - Probation (Jim Arkens, Karin Humiston) - Presentation by Jim Arkens/Karin Humiston regarding filling a FTS IV position with the upcoming retirement in the department.

M12-236 **Action:** Authorize Human Resources to recruit for a FTS IV in Probation. Provide any desired direction to staff.

Hazard moved; Johnston seconded

Vote: 5 yes; 0 no

Jim Arkens:

- Paula is getting ready to retire.
- This position needs to be refilled.

Supervisor Hazard:

- Is the fiscal impact listed reflecting her salary specifically? (Jim: no, just FTS IV, not hers specifically.)

Brian Muir:

- This is just to hire for the position in general.

AMBULANCE PARAMEDICS

- 11a) Inland Counties Emergency Medical Agency Joint Exercise of Powers Agreement (Lynda Salcido, Interim EMS Chief, Stacey Simon, County Counsel) - Proposed new Joint Powers Agreement (JPA) with San

Note

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Bernardino and Inyo Counties pertaining to the Joint Powers Agency known as the Inland Counties Emergency Medical Agency ("ICEMA"), established by JPA in 1975 and continued by revised JPA in 1988.

M12-237 **Action:** Approve County entry into proposed Joint Powers Agreement and authorize Board Chair to execute said Agreement on behalf of the County. Provide any desired direction to staff.

Hunt moved; Hansen seconded

Vote: 5 yes; 0 no

Lynda Salcido:

- This is to sign a revised JPA with the ICEMA group.
- She gave a brief history.
- No substantive changes.
- Discussion about REMSA monies.

Stacey Simon:

- Inyo has already approved it; there is one slight shift: the duties not currently being performed were discussed.
- The funding for Hospital Preparedness is no longer coming to the county.

SHERIFF CORONER

12a) Mono County Emergency Operations Plan (Sheriff Richard C. Scholl / Sgt. Jeff Beard) - The Mono County Emergency Operations Plan was revised per the guidelines set forth by the Federal Emergency Management Agency (FEMA) and the California Emergency Management Agency (CalEMA). The plan was written with input from all co-operators with a review process by the co-operators and CalEMA. The current plan was revised to include sections: Access and Functional Needs; Animal Care and Shelter; and Incident Command System (ICS) during any event.

To view a copy of the Mono County Emergency Operations Plan (which is too large to attach to the agenda item), please go to our website: www.monocounty.ca.gov and visit the Board of Supervisor's page. Once there, find the November 6, 2012 meeting date and there you will find a link to the plan.

Recommended Action: None.

Ralph Obenberger:

- Asking for approval of the new Emergency Operations Plan; has been in the works for two years. Sgt. Beard worked on this, arranging for an "in-state" person to be involved in the preparation.
- Believes that county government is more responsible than we might think.
- Has to have this plan in place to reach mandates. Perhaps after action plan from East coast can be reviewed later.
- Will bring back as consent item after Supervisor Hazard has read a hard copy.

Supervisor Johnston:

- From disaster on East Coast; are things happening there being addressed here as a what-if? Do we have sufficient resources in place?
- He thinks maybe we need another look over proposed plan.

Note

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- He thinks we need to be a little more proactive in light of what's happened.

Supervisor Bauer:

- She appreciates the work that has gone into this.
- Our shelters are helpful and even though we have them there is a limit to what we can control.
- We need more money for Local CERTS.
- What guidelines do you have to set up the writing of this plan? (Sgt. Beard went over guidelines, requirements)

Supervisor Hansen:

- We can't depend on the government for assistance.
- We can't even compare ourselves to New York.
- We need to look out for ourselves and be prepared. It points to people being more self-sufficient.

Supervisor Hazard:

- He is not going to approve this; he has not had a hard copy to consult.
- Relationship between this Board and our Incident Command needs improvement with roles clearly defined.
- It's not about things you plan and prepare for, it's everything else; sometimes we have to do the best we can.
- He's asking that it be deferred until it can be further reviewed.
- Suggested an Incident Command training once new Board is seated.

Supervisor Hunt:

- He had no trouble reviewing it online.
- We have to rely on our own individual ability to add things as we go.
- He's supportive of this.
- He thinks it's not only government's responsibility but also ours.

Sgt. Jeff Beard:

- In terms of electricity, that is private enterprise's responsibility.
- In terms of county, it is our responsibility. For example, fuel has been handled in the past. At community centers, we have generators.
- This is a planning tool, not a step by step policy.
- There will be a lot of information coming out about the East Coast tragedy.
- EOP should be reviewed every year.
- Deadline: must need to be approved by next grant cycle which is March 1st.

BOARD OF SUPERVISORS

13a) CSAC Appointments (Shannon Kendall) - Selection from the Board of Supervisors of a member and alternate to serve on the California State Association of Counties (CSAC) Board of Directors for 2013.

M12-238 **Action:** Elect Supervisor Johnston to serve on the CSAC Board of Directors for the 2013 Association year beginning November 27, 2012. Elect Supervisor Hazard to serve as an alternate on the CSAC Board of Directors for the 2013 Association year beginning November 27, 2012.

Hansen moved; Hunt seconded

Vote: 5 yes; 0 no

Supervisor Hazard:

- Suggested that this be put off a week.

Note

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Supervisor Bauer:

- Personal choice is to do interim appointments now.
- She's not comfortable appointing supervisor elect people to this position.

Additional Departments: CAO, County Counsel, Assessor, Sheriff

13b)

Response to 2012 Grand Jury Report (Jim Arkens, Marshall Rudolph) - Board of Supervisors' response to 2012 final grand jury report.

M12-239

Action: Approve and authorize Chair to sign said response, with such revisions as the Board may deem appropriate (if any).

Hunt moved; Hansen seconded

Vote: 5 yes; 0 no

Marshall Rudolph:

- Explained the nature of the Grand Jury Response.
- Usually the Assessor would take part in the response pertaining to her department; she is so new that it is appropriate for the Board to respond to this portion.
- Discussed jail response.

Supervisor Johnston:

- Suggested change to letter.

LUNCH

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

RISK MANAGEMENT

Additional Departments: Public Works Road

14a)

Twin Lakes Mudslide (Rita Sherman, Jeff Walters) - Receive staff report regarding Twin Lakes mudslide.

Action: None.

Rita Sherman:

- Gave brief history.
- There has been a lot of work done by private contractor since this agenda item was created.
- Back in 1997, they did a Forest Service agreement with county that helped get culvert bypass. The county only helped secure the funds; it's not the county's liability.
- It IS a public access road; we need to keep road open.
- Match requirement for this type of project is 25%.

Jeff Walters:

- Contractor Jeff Hansen completed the work on October 26, 2012.
- There is still considerable material within the diversion. The work Jeff did will suffice for most rain/snow melt-off events.
- This may buy the homeowner's time to come up with a more permanent solution.
- It is his understanding that the Forest Service is not responsible, the

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homeowner's are.

- County's cost: \$25,000 to move debris.

Supervisor Hansen:

- Asked about the back-up documentation going back to 1997.

Supervisor Hazard:

- Before we do any significant work we better make sure we have all the correct liabilities in place.
- We need to get this resolved with the Forest Service and homeowners.

Supervisor Johnston:

- It is the Forest Service's property; they should handle it.

PUBLIC COMMENT

LAWRENCE SCHWARTZ:

- Agreement currently in place with Forest service only includes three homeowners.
- Agrees that the Forest Service should step up but they are standing behind this agreement.
- Not only a threat to properties but a safety issue.
- Had to get permit through Forest Service to have Construction Specialty come in and do work. They hold Construction Specialty harmless should this happen again.
- Thanked Public Works for the effort of clearing the road.
- Discussed causes of mudslides, possible solutions. He had heard an amount of \$25,000 to fix?
- NRCS didn't think there was any money to fix.

RUBEN BRASSER:

- 1963-64 they had a major mudslide.
- He is one of the three homeowners that signed the agreement with Forest Service.

FURTHER BOARD DISCUSSION:

Supervisor Hansen:

- In the same boat as years previously.
- We should protect the people; they are residents/taxpayers.
- What was done in 1997 failed; the county does have some liability.
- Have Public Works do additional research on this? Thinks County needs to step up.

Supervisor Johnston:

- He thinks we should formally ask the Forest Service to fix this.
- County Counsel to assist us with this?

Supervisor Bauer:

- Can we advocate for homeowners to get the Forest Service to step up?
- She appreciates the positive attitude of all homeowners.
- Some initiative needs to be taking.

Supervisor Hunt:

- Definitely in our interest to protect our road.

Supervisor Hazard:

- We need to be careful about knowing what our role is.

PUBLIC WORKS - FACILITIES DIVISION

Additional Departments: Community Development, Public Works Road,

Note

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Building Official, Environmental Health

15a) Old Sheriff Substation (Rita Sherman) - Discussion on the options at the Old Sheriff Substation.

Action: Discontinue spending staff time on converting the Old Sheriff's Substation into living quarters.

Bauer/Hazard

Vote: 2 yes: Bauer, Hazard 3 no: Johnston, Hansen and Hunt.

Motion fails.

Rita Sherman:

- This is a discussion about options; involves several different departments and everyone is here today.
- Waiting to get bids done from Facilities.
- We have had to do double duty on this project because of misrepresentation.
- LADWP has issue with the use of the property? Not sure what that entails.

Supervisor Johnston:

- We are at the same place where we started.
- Today we should have an estimate of the costs. How do we go out to bid without estimated costs? Steve Kabala was finally hired to do plans.
- He thinks this needs to be moved on to a different department in order to get something accomplished.
- When might this project be able to be done?
- The berm project should be put into the capital project fund; can be postponed for now.
- Thinks the Housing Fund should be used which would not impact the general fund at all.
- If you want to unnecessarily spend public funds, you tear the building down. It's a perfectly good building. Government can help this use exist. That's what we should do at no cost to the public.

Supervisor Bauer:

- We don't have agreement to have a tenant in there. The consensus was that we would look to see what it would cost to have a tenant in there.
- How much does Tom Perry anticipate this will cost?
- Still of the opinion that we should not be providing housing for Mr. Ouimet and dogs.

Supervisor Hansen:

- Asked why the berm was relevant?
- Not sure how to proceed.
- To stop now would be a total waste of time. We should go one more step.

Supervisor Hunt:

- Perceived time frame of lease?
- Doing something with it before lease expires?
- Because of time situation and costs involved, might be time to look at Plan B. Allowing dog sled business to remain there but not having access to old building.
- He agrees we should see this go one step further.

Supervisor Hazard:

- He was opposed to having this on the agenda.
- The building is a wreck, the water is contaminated.
- Once we create public housing, certain standards need to be met.
- Not interested in converting the substation; needs to come down.

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Louis Molina (Environmental Health):

- Issues with water are complicated; this water is unregulated.
- Historically we had systems test for high arsenic but again, this is an unregulated system – doesn't need to meet criteria.
- Hit and miss on bacterial issues.

Steven Kabala:

- Completed building plan checklist.
- Should be in Bridgeport by Thursday.

Tom Perry:

- Received Kabala's initial plan two weeks ago; followed by a discussion with him. They seem to be on the same page, plans seem reasonable.
- He's looking for the corrected plan.
- Who's going to do the work? The county? Will it be subbed out? It could be \$50,000 - \$60,000 if it were subbed out.

Joe Blanchard:

- Waiting on plans to be able to compare apples to apples.
- The plans need to be actually approved to move forward.

Marshall Rudolph:

- Reminded the board that there may be an informal bidding process to go through.
- He thinks you would have to adjust the use permit for something like this.

John Vallejo:

- If we are providing a dwelling unit we have to make sure it complies with many codes, with respect to our liabilities.
- Recently, the lease was extended until this coming July. If board directs, we can draw up a new lease.
- Mr. Ouimet wants a place he can take care of the dogs.

Jim Ouimet:

- He denies chasing people out of there; claims he's been cooperative.

Jeff Walters:

- Discussion of handout; building options and berm discussion; cost estimates.

Brian Muir:

- Add berm to mid-year budget discussions? (Consensus: yes.)

Scott Burns:

- Issue of berm is not presently in use permit; could be considered an enhancement. We have some flexibility in the current use permit that gives CAO some discretion; will have to go through the process.

PUBLIC WORKS - ROAD DIVISION

- 16a) Eastern Sierra Unified School District - Request for Snow Removal Services at Edna Beaman Elementary (Jeff Walters) - The Eastern Sierra Unified School District (ESUSD) is requesting Mono County Public Works provide snow removal services this winter on the access roads and parking area at the Edna Beaman Elementary School in Benton. ESUSD also would appreciate any fee waiver should the Board authorize Public Works to perform this service.

- M12-240 Action:** Provide snow removal services this winter at the Edna Beaman Elementary School in Benton and waive any fees associated with it.

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Johnston moved; Hazard seconded

Vote: 5 yes; 0 no

Jeff Walters:

- Explained item.
- Don Clark is here from the School District.
- Any waiver of fees would be appreciated by the school district.
- This plowing would be done first thing in the morning, prior to kids and teachers showing up.

Supervisor Hansen:

- There isn't anyone local competing for this job?

Don Clark:

- They tried to find someone locally who had capability or advertised services. No one stepped forward.
- They are concerned that if it snows they won't have access to lot.

Supervisor Hazard:

- We should provide the service; it shouldn't tax us too much.
- Any fees associated with this should be waived.

16b) Pending Vacancy in Road Division - Maintenance Worker in Road Area 4/5 (Jeff Walters) - Due to a pending retirement of a Public Works Road Maintenance Worker III in Road Area 4/5 a vacancy would impact this division's service capabilities. Public Works is requesting authorization to begin recruitment to fill this upcoming vacancy.

M12-241 Action: Authorize Public Works to begin recruitment to fill a pending vacancy, a Road Maintenance Worker II/III in Road Area 4/5.

Hunt moved; Hansen seconded

Vote: 5 yes; 0 no

Jeff Walters:

- Mike Rhodes is leaving the county; there will be a vacancy with road staff down in the Walker area.
- Goal is to fill that position to maintain the level of service we currently have.
- All budgeted in current budget.

PUBLIC WORKS - ENGINEERING DIVISION

Additional Departments: County Counsel

17a) Change Order Authority for the Aspen Road Culvert Replacement Project (Garrett Higerd) - In performing this project the County and Contractor have encountered unforeseen circumstances impacting the manner and cost of project completion. A detailed update will be provided orally by Mr. Higerd at the Board meeting.

M12-242 Action: Authorize the Public Works Director to approve and issue change orders in an amount not to exceed \$13,125.00 per change order with respect to the Aspen Road Culvert Replacement Project, provided such change orders do not substantially alter the scope of work, exceed budgeted authority, and are approved as to form and legality by County Counsel. (Note: this authorization shall supersede prior change-order

Note

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authorization in Minute Order M12-217.)

Hazard moved; Johnston seconded

Vote: 5 yes; 0 no

Garrett Higerd:

- Project is well underway. Had to close road last night to continue work.
- Expects road to be open later this afternoon.
- We've had things pop up with project; explained the need to issue change orders (could be an additional \$5,000).

Supervisor Hansen:

- No matter how big an operation you are, you're bound to have problems when you start digging stuff up.

PUBLIC WORKS - SOLID WASTE DIVISION

18a)

Solid Waste Enterprise Fund Budget Discussion (Tony Dublino) - This item is in response to direction provided by the Board at the August Budget Hearings. The presentation will describe current challenges and offer potential solutions to the Solid Waste Enterprise Fund budget shortfall through cost cutting measures and means to generate additional revenue by increasing tipping fees and/or parcel fees. The presentation will also include a discussion and proposal for providing adequate outreach and education to inform citizens of any upcoming changes. Pending further direction from the Board, staff may develop a formal recommendation for consideration by the Solid Waste Task Force, with potential adoption by the Board in December.

Action: None.

Tony Dublino:

- Will try to keep it brief; does not plan to go over each document submitted with the packet.
- \$450,000 loan previously requested; he was asked to come up with solutions as to how to make this budget solvent.
- He has a much better understanding of the budget.
- Discussed various strategies/approaches for the future.
- Privatization is not even on the table.

Supervisor Johnston:

- Still wants to treat this as an enterprise fund.
- Suggests about a 20% increase in tipping fees; doesn't think a parcel fee should be considered.
- County is still absorbing the A87 costs on this?
- We shouldn't forgive any debt. It should have been dealt with in a fee increase three years ago.

Supervisor Hunt:

- Also against parcel fees.
- Agrees with education process.

Supervisor Hansen:

- What about closing the Benton station five days instead of just two?
- People up north think the \$5 minimum is ridiculous; it shouldn't be raised.
- Recycling? Cut into fund seven more?

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Brian Muir:

- A87 – Direct charge for a service, not a support service.
- We can't eliminate the Solid Waste Enterprise Fund.
- To what extent does the General Fund subsidize this? You can forgive some or all of this by making a contribution. Maybe the Board needs to consider this?

Supervisor Hazard:

- How about a proposal to see what it would take to privatize this thing?

Supervisor Bauer:

- Dump and Solid Waste Fund are two different things; giving it to somebody else doesn't make sense.

COMMUNITY DEVELOPMENT - PLANNING DIVISION

19a) Update on Bridgeport Main Street Revitalization Project (Wendy Sugimura) - Presentation by Wendy Sugimura regarding the results of the Bridgeport Main Street Design Fair.

M12-243 **Action:** Authorize the Board Chair to sign the attached letter of appreciation to Caltrans District 9 for integrating the new striping plan into the current overlay project.

Hunt moved; Johnston seconded

Vote: 5 yes; 0 no

Wendy Sugimura (powerpoint, copy on file with today's meeting folder):

Bridgeport Main Street Revitalization Project: Design Fair Results:

- There was a lot of community participation.
- Vision.
- Values.
- What to do on Main Street.
- General Priorities.
- Perspectives.
- Asking the Board Chair to sign a letter of recognition to CalTrans.

Supervisor Bauer:

- CPT was having a discussion of a possible inter-agency building in Bridgeport.

Supervisor Hansen:

- Thanked Wendy and staff for efforts.

Supervisor Hunt:

- Would like this incorporated into Facilities Plan.

Supervisor Johnston:

- He thinks the facilities plan needs to be moved along so that if commitments are needed in capital projects we can address those.
- He doesn't think the purchase of Busters property is a priority.

Scott Burns:

- As we update General Plan and support with CEQA documents, Facilities Plans are being addressed.
- Echoed opinion that if it weren't for Wendy, this project wouldn't be near as far as it is.
- Carve out the Bridgeport Facilities Plan – expedite that? Is that what the Board wants?

Jim Arkens:

- Jail locations, etc. are somewhat mandated.
- If new jail is ever built in Bridgeport, there was an interest in having a court room

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built in that new jail.

- Gary Boyd of Mammoth Hospital thinks the purchase of Busters building would be a good thing to have for clinic and other related county departments.

- 19b) Inyo-Mono Integrated Regional Water Management Group (IRWMG) Update (Heather deBethizy) - Update on activities of the Inyo-Mono IRWMP, including the updated IRWM Plan and Round 2 Implementation proposal ranking.

Action: None.

Heather deBethizy (powerpoint):

- Handed out copy of upcoming agenda; outlined various decision points.
- Discussion about a new Mission Statement.
- Objectives discussed.
- Table of Contents.
- She recommends not stopping process regardless of list.
- She's starting some outreach with departments for future projects.

Supervisors:

- Asked various questions about project list and ranking.

BOARD OF SUPERVISORS

Additional Departments: Information Technology

- 20a) Digital 395 & Telemedicine (Supervisor "Hap" Hazard) - This workshop will be led by Supervisor Hazard during which time he will present a PowerPoint on Telemedicine, and how Digital 395 will improve such capacity in our region.

Action: None.

Supervisor Hazard (powerpoint presentation, on file in today's meeting folder):

- Telemedicine: The Cutting Edge of Healthcare for Rural Communities.
- Telehealth Today.
- History of Telemedicine.
- Telemedicine.
- Elements of a Distributed, Technology-Enabled Health Care System.
- Care at Home and in the Community.
- E-Mail Communication with Patients by Physicians.
- Chronic Disease.
- Care Management Process with the Health Buddy System.
- Remote Care: Convergence of Sensors and Jewelry.
- Outpatient Telemedicine.
- Synchronous Outpatient Telemedicine.
- S&F Ophthalmology and Dermatology.
- Tele-radiology – MMH/NIH
- Emergency Medical System.
- Hospital Based Telemedicine.
- Emergency & Inpatient Telemedicine.
- Tele-ICU.
- Tele-Surgery.
- Pediatric Critical Care.

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- Remote Fetal Monitoring.
- Video-Interpreting Services.
- Telemedicine in Clinical Trials.
- Telehealth in Correctional Health.
- Correctional Telehealth.
- Examples of Telemedicine Services.
- Partnerships.
- Planning and Preparation.
- Mobile Video Station Examples.
- Looking Ahead.
- Telehealth in Disaster Preparedness.
- Death Reduction with Telemedicine.
- Technical Components.
- Needs Assessment.

ADJOURNMENT 6:00 p.m.

ATTEST:

VIKKI BAUER
CHAIR

SHANNON KENDALL
SR. DEPUTY CLERK OF THE BOARD

§§§§§

Note

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**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE	December 4, 2012	DEPARTMENT	Clerk of the Board
ADDITIONAL DEPARTMENTS			
TIME REQUIRED		PERSONS APPEARING BEFORE THE BOARD	
SUBJECT	Board Minutes		

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

B. Approve minutes of the Regular Meeting held on November 13, 2012.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Shannon Kendall
PHONE/EMAIL: x5533 / skendall@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH ATTACHMENTS TO THE OFFICE OF THE COUNTY ADMINISTRATOR **PRIOR TO 5:00 P.M. ON THE FRIDAY 32 DAYS PRECEDING THE BOARD MEETING**

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[Draft 11-13-12](#)

History

Time	Who	Approval
11/20/2012 6:04 PM	County Administrative Office	Yes
11/28/2012 2:24 PM	County Counsel	Yes
11/26/2012 1:10 PM	Finance	Yes



DRAFT MEETING MINUTES
BOARD OF SUPERVISORS, COUNTY OF MONO
STATE OF CALIFORNIA

Regular Meetings: The First, Second, and Third Tuesday of each month. Location of meeting is specified at far right.

Regular Meeting

MEETING LOCATION
County Courthouse,
Bridgeport, CA 93517

November 13, 2012

Flash Drive	File #1012
Minute Orders	M12-243 to M12-245
Resolutions	R12- 76 to R12-80
Ordinance	Ord12-04 NOT USED

9:07 AM Meeting called to Order by Chairwoman Bauer.

*Supervisors Present: Bauer, Hansen, Hazard, Hunt and Johnston.
Supervisors Absent: None.*

Pledge of Allegiance led by Supervisor Hazard.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Joe Parrino:

- Update on motocross track.
- Talked about pros interested in using Mammoth's tracks to teach camps, etc.
- Would like to be on agenda towards end of January to go over business plan, proposal. Wants to work with Forest Service while Mr. Armenta is still around.
- Supervisor Hunt to help track this for January meeting.

Closed Session: 9:15 a.m.

Break: 10:35 a.m.

Reconvene: 10:45 p.m.

Lunch: 12:26 p.m.

Reconvene: 1:33 p.m.

Break: 2:28 p.m.

Reconvene: 3:36 p.m.

Break: 5:24 p.m.

Reconvene: 5:30 p.m.

Adjourn: 7:00 p.m.

CLOSED SESSION

There was nothing to report out of closed session.

Note

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BOARD OF SUPERVISORS

- 1a) Closed Session - Conference with Legal Counsel - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9. Number of potential cases: one.
- 1b) Closed Session - Conference with Legal Counsel - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9. Number of potential cases: one. Facts and circumstances: Claim for Damages by Inland Aquaculture Group.
- 1c) Closed Session - Conference with Legal Counsel - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9. Number of potential cases: one. Facts and circumstances: dispute regarding Conway Ranch grant compliance.
- 1d) Closed Session--Human Resources - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph, Brian Muir, and Jim Arkens. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39--majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

- 2) APPROVAL OF MINUTES
None.

3) BOARD MEMBER REPORT

Supervisor Bauer:

- Deferred due to time constraints.

Supervisor Hansen:

- Deferred due to time constraints.

Supervisor Hazard:

- Deferred due to time constraints.

Supervisor Hunt:

- Deferred due to time constraints.

Supervisor Johnston:

- Deferred due to time constraints.

COUNTY ADMINISTRATIVE OFFICE

Note

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- 4) CAO Report regarding Board Assignments (Jim Arkens)
ACTION: Receive brief oral report by County Administrative Officer (CAO) regarding his activities.

Jim Arkens:

- Deferred due to time constraints.

DEPARTMENT REPORTS/EMERGING ISSUES

Sheriff Scholl:

- Has decided to retire. Last day in office will be December 20th.
- Board congratulated the Sheriff.
- The Board will have to appoint to fill the remainder of his term. Marshall to work with the Sheriff to get onto an agenda
- Reducing Police Department by 1/3. Sheriff is worried about this.
- Discussed the Department's questionnaire that has been going out the last six years. Overall the satisfaction level of the Sheriff's Department is high.

CONSENT AGENDA

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

CLERK OF THE BOARD

- 5a) No Consent Items -

REGULAR AGENDA

CORRESPONDENCE RECEIVED (INFORMATIONAL)

All items listed are available for review and are located in the Office of the Clerk of the Board

- 5b) Suddenlink Letter with Rate Changes - Letter from Suddenlink dated October 19, 2012 informing the Board about rate adjustments, effective December 2012.

The Board acknowledged receipt of the correspondence.

BOARD OF SUPERVISORS

- 6a) Report on Bighorn Sheep Recovery Program (Dr. Thomas R. Stephenson) - Review of the Sierra Nevada Bighorn Sheep Recovery Program from 1999 to June 30, 2011. Dr. Stephenson will present strategies to increase population and identify program deficiencies. Supervisor Hansen is sponsoring this item.

Action: None.

Supervisor Hansen:

- Introduced item and Dr. Stephenson.
- Thanked all the agencies that came today.

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Dr. Thomas R. Stephensen (Powerpoint Presentation):

- Endangered species – history.
- Winter range – low and high elevations.
- Requirements for recovery.
- Current estimates.
- Various recovery units.
- Threats to recovery.
- Pinon encroachment.
- Consequences of contact with domestic sheep.
- Disease impact/consequences.
- Conclusions from disease simulations.
- Spatial risk model.
- Grazing locations.
- Tools to reduce risk.
- Translocations.
- Predicted effects of management.
- Examples of suitable habitat.
- Why should we recover the bighorn sheep?
- Opportunities.
- Website: www.dfg.ca.gov/snbs

Additional discussion:

- Vacate parcel and find alternative solutions. Fencing?
- Coming up with creative solutions is imperative.
- What portion of young is recruited to adulthood?
- In his opinion they are as close as they can get to understanding the disease issue.

Supervisor Bauer:

- Why did they decline in the 90's?
- This is not only about bighorn sheep; it's about western states. It's a bigger discussion; Marianne is caught on one side.

Supervisor Johnston:

- Historically, how many were there?
- Translocating question.
- Are they genetically distinct?
- Biggest controversy is disease; do you have recommendations?
- Interested in mitigating problems.
- Asked Marianne if putting up a fence would help?

Supervisor Hazard:

- Feels like he's always coming in the middle of the conversation.
- Issue of recruitment?
- Grazing allotments – potential for different policy?
- Agency and commercial operations to come up with best practice? That's been done. We want a strong domestic sheep presence. We need a plan to enhance grazing.

Supervisor Hunt:

- Disease issue.
- Asked about how saving bighorn may affect recreation in our economy?

Supervisor Hansen:

- Asked what Marianne has had to give up so far.
- Suggested agencies work together without secrecy.
- Hunters must be in place; makes no sense otherwise.

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- He would like to see the best use of this land; we need land for grazing.
- He suggested a workshop at some point.

George Milovich:

- Nobody disputes the fact that DFG tries to do a good job; but they would probably like to remove any domestic sheep grazing.
- When you lose a band of sheep, that's 1000 sheep.
- Generally, always on a question of science.
- There must be a solution to allow domestic sheep owners to be viable and productive.

PUBLIC COMMENT:

Marianne Leinassar:

- Die off in Northern unit due to domestic sheep; has this ever occurred?
- The bighorn sheep have a lot of their own diseases.
- All sheep were translocated into the northern unit.
- How many new collars?
- To her knowledge, there has not been a die off in the northern unit of bighorn sheep in her area due to domestic sheep.
- A fence up around the Mattley might help.
- She would be interested in a further round table discussion.
- Distributed handout.

Joe Enchnick, Enchnick Livestock:

- Is there enough habitat to support a new herd unit?
- Most sheep will be taken out of Wheeler Herd?

LUNCH

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Tim Alpers:

- Wants to revisit AB1616 item again which allows for sub-certification checklist in reference to food for a baked goods business.
- Will need a waiver because bill is not to go into effect until 1/1/13.
- Asked that this be an agenda item for next week. Clerk to work with him on this.

DISTRICT ATTORNEY

7a) Approval to Advertise for a Deputy District Attorney I/II Position. (Tim Kendall/DA) - Jeremy Ibrahim has submitted a letter to terminate his contract as Deputy District Attorney I with Mono County effective December 1st 2012. We are seeking approval from the Board to advertise and filling of a Deputy District Attorney I/II.

M12-243 **Action:** Approval to advertise to fill the position for a Deputy District Attorney I/II.

Hunt moved; Hazard seconded

Vote: 5 yes; 0 no

Tim Kendall:

- Requesting board approval to advertise and fill a position becoming vacant by December 1st with Jeremy leaving.

Note

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- Asking to fill it as a Deputy II because experience is desperately needed; large caseload and trials already scheduled.
- The investigations portion of MLPD will fall directly to the D.A.'s office now.
- Over time, he believes we will see a lower number of minor crimes being reported to his office.

Supervisor Hunt:

- Mentioned the reduced caseload at MLPD in the future; asked how that will impact D.A.'s office.

Supervisor Johnston:

- Second item coming forward that relates to impact of MLPD; might we need a policy discussion?

Supervisor Hazard:

- What if the Town wants a dedicated Prosecutor for the Town? Might the D.A. be able to be reimbursed for this?

Brian Muir:

- His recommendation is to sit back and let the MLPD issues play out.
- Less police in Mammoth is going to reduce the number of crimes being reported, etc.

FINANCE

Additional Departments: Public Works, Community Development

8a) Clean Air Project Program Block Grant Funds (Mary Booher) -
Presentation by Mary Booher regarding Clean Air Project Program Block Grant Funds.

M12-244 **Action:** Allocate the \$59,680 for the Clean Air Project Program Block Grant as follows: \$15,000 for a biomass feasibility analysis; \$10,000 for the Lee Vining airport soils stabilization project and \$34,680 for a Solar Feasibility study.

Johnston moved; Hunt seconded

Vote: 4 yes; 1 no: Bauer

Mary Booher:

- Explained item; went over potential differences to budget amounts.

Supervisor Johnston:

- Asked questions about how much match money the county would need depending on project type.
- DWP has been ordered to clean up pollution which they are ignoring.

Wendy Sugimura:

- To get grant under contract, we need budget brought before the Board and we need to get the contract signed.

Lisa Isaacs, Administrator (Clean Air Projects Program):

- They can easily justify planning for three of the four proposed projects.
- They'd like to see projects that go above and beyond standard practices.

Supervisor Hunt:

- Appreciates Lisa's vision and her working toward making sure grant monies being spent properly.

Supervisor Hansen:

- He is not happy with the dust; the airport needs to be addressed.

Supervisor Bauer:

- Splitting monies would be good.

Note

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

- \$15,00 towards bio-mass; no more studies. There is air pollution.

Supervisor Hazard:

- Wants heavy equipment to be replaced but this is not enough money.
- He has a problem with entire concept.
- Priority is getting lake fixed to improve air quality; issues at Owens Lake.

PUBLIC WORKS - ROAD DIVISION

9a) Review of Snow Removal Priorities (Jeff Walters) - Each year the Roads Division of Public Works provides the Board of Supervisors with a list of the snow removal policies, procedures and priorities for county-maintained roads.

R12-76 **Action:** Adopt Resolution No. R12-76, "A Resolution of the Mono County Board of Supervisors Re-Establishing Snow Removal Policies, Procedures, and Priorities for County-Maintained Roads."

Hazard moved; Hunt seconded

Vote: 5 yes; 0 no

Jeff Walters:

- Yearly discussion regarding snow removal priorities.
- Board has option to make comments/changes to suggested priorities.
- Virginia Lakes Road – currently priority #4; they would like this to be priority #3. However it really fits into a priority #4 road – as it is.
- They currently plow $\frac{3}{4}$ up the road.

Supervisor Hansen:

- He was called by a year round resident. If they can clear as time permits; that has been working.

Supervisor Hazard:

- Asked about Lower Rock Creek issues.

Supervisor Bauer:

- Need to be careful about meeting expectations.

9b) Proposed Fuel Reduction Initiatives (Jeff Walters) - Mono County's vehicles, machinery and equipment use over 200,000 gallons of fuel on average each year. Mono County has many fuel reduction initiatives already in place and continues to develop and implement others in an effort to reduce county fuel use.

Moved to 11/20/12 meeting **Action:** None. Pull from agenda and move item to meeting of 11/20/12.

COMMUNITY DEVELOPMENT - PLANNING DIVISION

Additional Departments: Economic Development Department

10a) California Unions for Responsible Energy appeal of the Planning Commission approval of the Mammoth Pacific I Replacement Project (Courtney Weiche) - Public hearing regarding appeal of Planning Commission approval of Conditional Use Permit No. 12-004 and Final Environmental Impact Report for the Mammoth Pacific I Replacement

PUBLIC HEARING

Note

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

Project filed by California Unions for Reliable Energy (CURE).

R12-77

Action: Adopt "Resolution R12-77 (with modifications to proposed condition #3 as discussed), Denying Appeal of CUP 12-004 and FEIR Adoption for the Mammoth Pacific Replacement Project Filed by California Unions for Reliable Energy (CURE); Certifying and Adopting the FEIR for the Project; and Affirming the Planning Commission's Approval of CUP 12-004.]]

Hunt moved; Hazard seconded

Vote: 5 yes; 0 no

Stacey Simon:

- Two separate appeals; two separate hearings.
- It has been suggested to do the project presentation first which applies to both appeals.

Elizabeth Klebaner (CURE counsel):

- O.k. with doing one project description.

Mitchell Tsai (LIUNA counsel):

- O.k. with doing one project description.

Courtney Weiche (applies to items 10a AND 10b):

Project description (via powerpoint):

- Overview.
- Surrounding land uses.
- Project components.
- Conditional Use Permit 12-004
- Visual Simulation.
- Outdoor lighting plan.
- Variance 12-002
- Constraints exhibit map.
- Proposed Clarifying GPA 12-003(b).
- Planning Commission Actions.

Gerry LeFrancois (Reclamation Plan 12-001):

- Encompasses all three plants (MP-1, MP-2 and M-1).

Rob Carnachan (CEQA Consultants): CAJA Environmental Services, LLC

- CEQA process.
- Draft EIR.
- Revised Draft EIR.
- Second Revised Draft EIR.
- Final EIR – document being considered today which incorporates all revisions.

APPLICANT'S PRESENTATION: ORMAT

Ron Leiken (Ormat):

- Disclaimer.
- Presentation Overview.
- History of Ormat Technologies.
- Mammoth Pacific, L.P. Geothermal Plants.
- Existing Facilities at Casa Diablo Complex.
- Ongoing Monitoring Programs.
- Existing Environmental Benefits.
- Existing Economic Benefits.
- MPLP Awards and Recognition.
- MP-1 Plant Replacement (project description).

Note

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- Explanation of how it works.
- M-1 Project Description.
- Photos.
- Site Selection.
- Transmission Interconnection.
- Variance for Interconnection Lines.
- Justification for Granting Variances.
- M-1 Environmental Issues/Benefits.
- M-1 Economic Benefits.
- Ormat's Bidding and Hiring Procedures.
- Existing Local Vendors used.
- Introduction to CD 4.
- Summary.
- Asking Board to approve project.

Jim Reed (Ormat's counsel):

- Needs clarification; Stacey suggested that his concerns could be addressed at a later point, following project description.

Supervisor Hazard:

- Asked about height? (Gerry: standard).
- 500 foot setback, where did it come from? (Gerry – policies of general plan; Stacey: part of old zoning code which was then incorporated into GP.)
- What's anticipated in 2045?

Supervisor Johnston:

- Not standard setback?

Supervisor Bauer:

- This isn't standard? (Stacey: Standard is 30)
- Timeline on CD 4?

ITEM #10A – APPEAL (official record is audio recording):

Public Hearing Open: 3:37 p.m.

Elizabeth Klebaner (counsel for CURE):

- Appealing because compliance of CEQA did not precede these actions.
- Requesting this be sent back to Planning Commission.
- Issue: piecemealing.
- Handout.
- Recognizes County as authority (discussions with Supervisors Johnston and Hazard). Issue is whether County's permit and EIR has properly evaluated everything.
- She's trying to lay out evidence submitted that is contrary to what the county has submitted.
- Only proposed facility is at issue today.

Rob Carnachan (CEQA Consultant - powerpoint): CAJA Environmental Services, LLC

- The County has addressed CURE's issues.
- He has a few places he'd like to amplify when answering CURE's appeal.
- Refuted all CURE's Issues.
- Handout of GBUAPCD letter to Planning Department – details discussed.

Stacey Simon:

- Talking about two EIRs for two separate projects.
- CURE did not appeal this variance or Reclamation Plan.
- Slide put up on screen (copy to go to clerk) going over proposed General Plan

Note

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clarification.

Public Comments:

Rick Joy:

- It's our God given right to use God given resources.
- Doesn't understand the position of the Unions or why they aren't helping this process.

Kurt Van Ness:

- He's for this project, for any project that will help economy.
- Also doesn't understand why they would be against it.

Davey Harvey:

- Ormat has been a very good partner for our community.
- This process is painful; time is money.
- If we are going to attract and keep good commercial partners, then we need to go through applicable processes but in a timely manner.

Brent Allen:

- Ormat is a great company to work with; they are very conscientious about the environment.
- We should help them move forward in their project.

Ken Joy:

- Thanked Ormat and the county for all the hoop jumping they have done.
- Doesn't understand why CURE is concerned with an EIR.
- Ormat should have support.

Ron Carnachan:

- Existing MP-1 plant is not at the end of its existing life; plant still being utilized.
- There is no substance to assertion about proposed MP-1 plant.

Jim Reed:

- Represents Ormat.
- Proposed condition #3 – suggested changes to this.
- This project is not going to deplete geothermal resource.

Stacey Simon:

- Project must be consistent with Project description in EIR and with analysis (regarding condition #3).
- Not sure that Mr. Reed's entire revised condition is necessary.
- Rather than what staff recommended, general condition references requirement of compliance with EIR (eliminate "including").

Public Hearing Closed: 5:09 p.m.

BOARD COMMENTS:

Supervisor Hunt:

- As a self proclaimed environmentalist, he is embarrassed by this entire appeal; this is NOT what the CEQA process should be used for.
- He feels the environmental review is very sound; CEQA process has been more than adequately vetted.
- Upholds Planning Commission's decision.

Supervisor Hansen:

- Agrees with Supervisor Hunt.
- Not sure why unions are doing this.
- He's in favor of upholding Planning Commission's decision.

Supervisor Johnston:

- Agrees with both supervisors; also embarrassed with the legal process.
- It's as if the report was never read by CURE people; it's completely contradictory.
- Should have mitigated negative declaration as opposed to EIR.

Note

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- Supports Planning Commission's decision.

Additional Departments: Economic Development

10b) Laborers Int'l Union of North America appeal of Planning Commission's approval of Mammoth Pacific I Replacement Project (Courtney Weiche) -
PUBLIC Public hearing regarding appeal of the Planning Commission approval of
HEARING the Final Environmental Impact Report, Clarifying General Plan
Amendment 12-003(b) [sic], Conditional Use Permit 12-004, Variance 12-002, Reclamation Plan 12-001, and Notice of Decision for the Mammoth Pacific Replacement Project filed by Laborers International Union of North America, Local 783 (LIUNA).

The LIUNA appeal, too large to attach with the packet can be viewed by going to <http://www.monocounty.ca.gov/bos/event/board-supervisors-5>. Once there, click on the link for the appeal which is listed with the agenda for 11/13/12.

R12-78 **Action:** Adopt the "Resolution R12-78 (with modifications to proposed condition #3 as discussed), Denying Appeal of Planning Commission Approval of CUP 12-004, Variance 12-002, Reclamation Plan 12-001, FEIR Findings and Adoption, Notice of Determination and General Plan Amendment [sic] for the Mammoth Pacific Replacement Project Filed by Laborers International Union of North America, Local 783 (LIUNA); Certifying and Adopting the FEIR for the Project; and Affirming the Planning Commission's Project Approvals."]]
Johnston moved; Hansen seconded
Vote: 5 yes; 0 no

ITEM #10B – APPEAL (official record is audio recording):

Courtney Weiche:

- Outlined appeal.
- Will not have to go over project description again, that was already done prior to CURE appeal.

Stacey Simon:

- Mentioned the letter/comments received today from LIUNA; County Counsel did try to prepare responses.
- Reminded the Board that these are two completely separate appeals, needs to be treated as such.

Mitchell M. Tsai (Attorney for LIUNA):

- Went over appeal points.
- Focused mainly on deer in his presentation.
- Project would change by reducing the amount of habitat; it would eliminate acreage.

Supervisor Johnston:

- Asked various questions.
- He feels the Planning Commission's decision is based on very good data.

Supervisor Hazard:

Note

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- Is this information relying on site visits or reports?
- He believes Geothermal is the best energy choice for Mono County.
- Asked about height of barriers.
- He doesn't see a huge impact on ability of deer to thrive based on data.

Public Hearing Open: 5:59 p.m.

Ron Carnachan, CAJA Environmental Services, LLC:

- Went over details of how county has responded.
- Went over all Issues raised by LIUNA.
- Pointed out that materials that would be stored at proposed location are already being stored there in the general complex. The plan would put them all in a tidy space.
- Disputes notion that the Mule Deer would be better off with proposal; that's not what the project says. EIR determined that impacts to Mule Deer would not be significant.
- Mitigation Study does not require additional study on Mule Deer.
- There is not assumption in EIR that existing MP-1 plan is at the end of its operational life.

Stacey Simon:

- Commenter's interpretation of Mono County General Plan is inconsistent with the county's own interpretation/intent of general plan.
- Asked for copies of slides for clerk.

Jim Paulus:

- Powerpoint.
- Went over maps showing Casa Diablo Geothermal Complex.

Public Comment:

Jim Reed:

- Raised same issue to Proposed Condition #3; suggested same changes.
- Discussed legislature passed a long time ago discussing abuse of CEQA.
- Record built today will be instrumental in preventing abuse of CEQA.

Public Hearing Closed: 6:29 p.m.

Supervisor Hunt:

- Feels we've gone through process and due diligence.
- This is more than enough to let the CEQA process play out.
- As environmentalist, this is an embarrassment.
- He confirms the Planning Commission's decision.

Supervisor Hansen:

- Staff did a great job; he doesn't believe there's a problem with the deer.
- Agrees with Supervisor Hunt in confirming position of Planning Commission.

Supervisor Johnson:

- Thinks the Planning Commission did a great job; he supports upholding the Commission's decision.

Supervisor Hazard:

- Asked if any union reps were here; are there names associated with this union?
- Asked that all prior statements made by Supervisor Hazard (on CURE appeal) be incorporated here (see item #10a above).
- This is a remote attack on this project in Mono County.
- Can't blame geothermal plant on deer issues; this project doesn't show it will put pressure on deer.
- Upholds Planning Commission's decision.

Supervisor Bauer:

- It seems like we are on such different pages.

Note

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- Also upholds Planning Commission's decision.

10c) (Courtney Weiche) - Proposed Resolution adopting General Plan Amendment 12-003 (b) to clarify the County's intent and interpretation of General Plan Chapter 15, section 15.070(B)(1)(d) and a provision within the Conservation and Open Space Element pertaining to setbacks from a mapped blue line or dotted blue line water course within the Hot Creek Buffer Zone for geothermal development.

PUBLIC
HEARING

R12-79 **Action:** Adopt proposed Resolution #R12-79, adopting General Plan Amendment 12-003 (b) to clarify the County's intent and interpretation of General Plan Chapter 15, section 15.070(B)(1)(d) and a provision within the Conservation and Open Space Element pertaining to setbacks from a mapped blue line or dotted blue line water course within the Hot Creek Buffer Zone for geothermal development. Confirming staff's historical interpretation.

Hazard moved; Johnston seconded

Vote: 5 yes; 0 no

Courtney Weiche (powerpoint):

- Background.
- Public Comment results.
- Proposed Clarification (new sections/language).
- Environmental Review.
- Planning Commission decision.

Stacey Simon:

- Went over the clarifications.

Public Hearing open: 6:46 p.m.

Elizabeth Klebaner (CURE Counsel):

- They oppose the Plan Amendment.

Public Hearing closed: 6:46 p.m.

COUNTY COUNSEL

Additional Departments: Community Development Department

11a) Foster - Deed Restriction and Agreement (Stacey Simon) - Proposed Deed Restriction and Agreement with Robert Foster, pertaining to owner-initiated deed restriction on Parcel Number 016-176-007 in June Lake. This is a related item to the proposed General Plan Amendment which would change the land use designation for this parcel to Commercial Lodging-High.

M12-245 **Action:** Approve County entry into proposed Deed Restriction and Agreement and authorize Chair to execute, and the Clerk to record, said Agreement on behalf of the County.

Johnston moved; Hazard seconded

Vote: 5 yes; 0 no

Stacey Simon:

- Typo in reference to highway 395 on staff report.

Note

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- Similar to what was done on “Mama Bear” bed and breakfast in June Lake.
- Prior to asking to amend GPA which would re-designate to allow commercial uses, owner wishes to enter into Deed Restriction.

Supervisor Bauer:

- Perfect location for this.

COMMUNITY DEVELOPMENT - PLANNING DIVISION

12a) Foster - General Plan Amendment 12-003 (a) (Courtney Weiche) - Public hearing regarding General Plan Amendment 12-003 (a) to change land use designation of APN 015-060-047 from Single Family Residential to Commercial Lodging- High, subject to restrictions contained in Conditional Use Permit 12-003.

R12-80 **Action:** Adopt proposed resolution #R12-80, approving GPA 12-003(a).
Hunt moved; Hazard seconded

Vote: 5 yes; 0 no

Courtney Weiche (powerpoint):

- Project description.
- Project location.
- General Plan Consistency.
- Noticing Information.
- Environmental Review.
- Summary of Project Findings.

COMMUNITY DEVELOPMENT - BUILDING DIVISION

13a) Limited Density Owner Built Rural Dwellings (Tom Perry, Brent Calloway) - Proposed ordinance adopting chapter 15.50 of the Mono County Code pertaining to Limited Density Owner-Built Rural Dwellings.

Moved to 11/20/12 meeting **Action:** None. Pulled from today’s agenda and moved to next week’s agenda.

ADJOURNMENT 7:00 p.m.

ATTEST:

VIKKI BAUER
CHAIR

SHANNON KENDALL
SR. DEPUTY CLERK OF THE BOARD

Note

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

§§§§§

Note

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE	December 4, 2012	DEPARTMENT	Community Development - Planning Division
ADDITIONAL DEPARTMENTS			
TIME REQUIRED		PERSONS APPEARING BEFORE THE BOARD	
SUBJECT	Antelope Valley RPAC Appointment		

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Consider appointment of Victoria Victor to the Antelope Valley Regional Planning Advisory Committee (AVRPAC), as recommended by Supervisor Hansen and AVRPAC.

RECOMMENDED ACTION:

Appoint Victoria Victor to the Antelope Valley Regional Planning Advisory Committee.

FISCAL IMPACT:

None.

CONTACT NAME: Gerry Le Francois

PHONE/EMAIL: 924.1810 / glefrancois@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[Antelope Valley RPAC appointment](#)

History

Time	Who	Approval
11/9/2012 10:33 AM	County Administrative Office	Yes
11/28/2012 2:26 PM	County Counsel	Yes
11/9/2012 10:41 AM	Finance	Yes

Mono County Community Development Department

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

Planning Division

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

December 4, 2012

To: Mono County Board of Supervisors
From: Gerry Le Francois, Principal Planner
Subject: Appointment to Antelope Valley Regional Planning Advisory Committee (Consent Item)

Action Requested

Consider appointment of Victoria Victor to the Antelope Valley Regional Planning Advisory Committee (AV RPAC), as recommended by AV RPAC.

Fiscal/Mandates Impact

No fiscal impacts are expected.

Current Fiscal Year Budget Projections

No impact is expected on current fiscal year budget projections.

Discussion

At their October 4 meeting, the AV RPAC recommended that the Board of Supervisors appoint Victoria Victor to the AV RPAC.

New member recommended for appointment: Victoria Victor

Existing members (for information):

Dan Anthony
Mike Curti
Tim Fesko
Arden Gerbig
Mark Langner
Don Morris
Orval Mosby
John Vannoy
Bruce Woodworth
John Peters
Lauretta Cochran

If you have any questions regarding this item, please contact Gerry Le Francois at 924-1810.

Regional Planning Advisory Committees

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

PO Box 8
Bridgeport, CA 93517
760-932-5420 phone, 932-5431 fax
www.monocounty.ca.gov

MEMBERSHIP APPLICATION

This application is for membership in the following RPAC (choose one):

- | | |
|---|--|
| <input checked="" type="checkbox"/> Antelope Valley | <input type="checkbox"/> June Lake CAC (Citizens Advisory Committee) |
| <input type="checkbox"/> Benton/Hammil | <input type="checkbox"/> Long Valley |
| <input type="checkbox"/> Bridgeport Valley | <input type="checkbox"/> Mono Basin |
| <input type="checkbox"/> Chalfant | <input type="checkbox"/> Wheeler Crest |

Name Victoria Victor

Address 107591 Hwy 395

City/State/Zip Coleville Ca 96107

Phone (day) _____ Phone (eve.) _____

E-mail vvictor809@gmail.com

Occupation/Business Walker Flea Market Farmer's Market

Special interests or concerns about the community:

building business, growing walker to
be more welcoming to be more travel
friendly - cater to small business in area.

Signature  Date 10-4-12



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE	December 4, 2012	DEPARTMENT	County Counsel
ADDITIONAL DEPARTMENTS			
TIME REQUIRED		PERSONS APPEARING BEFORE THE BOARD	
SUBJECT	Approve Mammoth Community Water District's Amended Conflict of Interest Code		

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

The Political Reform Act, Gov. Code sections 81000, et seq. requires public agencies to conduct a biennial review and update of their conflict of interest codes. As such, the Mammoth Community Water District has amended its Conflict of Interest Code by Ordinance No. 10-18-12-12 and seeks approval of its new Conflict of Interest Code by the Mono County Board of Supervisors, its code-reviewing body.

RECOMMENDED ACTION:

Approve the Mammoth Community Water District's Conflict of Interest Code, as amended by Mammoth Community Water District Ordinance No. 10-18-12-12.

FISCAL IMPACT:

None.

CONTACT NAME: Tara McKenzie

PHONE/EMAIL: 760-924-1706 / tmckenzie@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
**PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING**

SEND COPIES TO:

Tara McKenzie, Office of the County Counsel

Linda Jermain, Executive Assistant
Mammoth Community Water District
P.O. Box 237
Bridgeport, CA 93517

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

 [Mammoth Community Water District Ordinance and Conflict of Interest Code](#)

History

Time	Who	Approval
11/28/2012 11:17 AM	County Administrative Office	Yes
11/28/2012 2:38 PM	County Counsel	Yes
11/27/2012 4:44 PM	Finance	Yes

ORDINANCE NO. 10-18-12-12

**AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE
MAMMOTH COMMUNITY WATER DISTRICT
AMENDING CHAPTER 6 OF THE DISTRICT CODE RELATING
TO THE DISTRICT'S CONFLICT OF INTEREST CODE**

BE IT ORDAINED by the Board of Directors of the Mammoth Community Water District as follows:

SECTION ONE:

The first page of Chapter 6 of the Mammoth Community Water District Code respecting the District Conflict of Interest Code is hereby amended to read:

The Political Reform Act, Government Code Sections 81000, et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contains the terms of the standard conflict of interest code. Section 18730 is attached hereto as Appendix A. Section 18730 can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Pursuant to Ordinance No. 11-19-92-25 of the Board of Directors of the Mammoth Community Water District, the terms of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendix B in which members and employees are designated and disclosure categories are set forth, constitute the conflict of interest code of the Mammoth Community Water District.

Pursuant to Section 4 of the standard code, designated employees shall file statements of economic interests with the District. Upon receipt of the statements of the Mammoth Community Water District Board members, General Manager, Finance Department Manager, District Engineer, Human Resource Manager, Operations Superintendent, Maintenance Superintendent, Executive Assistant, Environmental Specialist/Public Affairs, Purchasing Agent, District Counsel, and Consultants, the District shall make and retain a copy and forward the original of these statements to the County of Mono.

SECTION TWO:

Appendix B to the District's Conflict of Interest Code is amended as attached hereto.

SECTION THREE:

To the extent the terms and conditions of this Ordinance may be inconsistent or in conflict with the terms or provisions of any prior District ordinances, resolutions, rules, or regulations, the terms of this Ordinance shall prevail with respect to the terms or provisions thereof and such inconsistent or conflicting terms or provisions of prior ordinances, resolutions, rules, or regulations are hereby repealed.

SECTION FOUR:

This Ordinance shall be in full force and effect upon Mono County Board of Supervisors' approval of the District's amended Conflict of Interest Code, and shall be published not less than once in a newspaper of general circulation published in the District within ten (10) days after adoption.

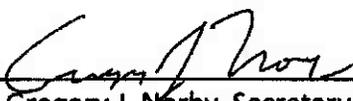
PASSED AND ADOPTED by the Board of Directors of the Mammoth Community Water District, County of Mono, State of California, this 18th day of October 2012, at a regular meeting of the Board by the following vote:

AYES: Directors Alper, Cage, Domaille, Henderson and Smith
NOES: None
ABSENT: None
ABSTAIN: None

MAMMOTH COMMUNITY WATER DISTRICT

By: 
Thomas R. Smith, President
Board of Directors

ATTEST:

By: 
Gregory J. Norby, Secretary
Board of Directors

CHAPTER 6

CONFLICT OF INTEREST CODE FOR MAMMOTH COMMUNITY WATER DISTRICT

The Political Reform Act, Government Code Sections 81000, et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contains the terms of the standard conflict of interest code. Section 18730 is attached hereto as Appendix A. Section 18730 can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Pursuant to Ordinance No. 11-19-92-25 of the Board of Directors of the Mammoth Community Water District, the terms of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendix B in which members and employees are designated and disclosure categories are set forth, constitute the conflict of interest code of the Mammoth Community Water District.

Pursuant to Section 4 of the standard code, designated employees shall file statements of economic interests with the District. Upon receipt of the statements of the Mammoth Community Water District Board members, General Manager, Finance Department Manager, District Engineer, Human Resource Manager, Operations Superintendent, Maintenance Superintendent, Executive Assistant, Environmental Specialist/Public Affairs, Purchasing Agent, District Counsel, and Consultants, the District shall make and retain a copy and forward the original of these statements to the County of Mono. {Amended by Ordinance No. 04-17-08-09, effective 5/17/2008 l}

APPENDIX A

(REGULATIONS OF THE Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations.)

18730. Provisions of Conflict of Interest Codes.

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict-of-interest code within the meaning of Section 87300 or the amendment of a conflict-of-interest code within the meaning of Section 87306 if the terms of this regulation are substituted for terms of a conflict-of-interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Sections 81000, et seq. The requirements of a conflict-of-interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict-of-interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (Regulations 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict-of-interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Sections 87200, et seq.

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict-of-interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Section 87200; and

(C) The filing officer is the same for both agencies.¹

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict-of-interest code.²

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements.

Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements.

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to Regulation 18754.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure.

When an investment or an interest in real property³ is required to be reported,⁴ the statement shall contain the following:

1. A statement of the nature of the investment or interest;
2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property equals or exceeds \$2,000, exceeds \$10,000, exceeds \$100,000, or exceeds \$1,000,000.

(B) Personal Income Disclosure. When personal income is required to be reported,⁵ the statement shall contain:

1. The name and address of each source of income aggregating \$500 or more in value, or \$50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was \$1,000 or less, greater than \$1,000, greater than \$10,000, or greater than \$100,000;
3. A description of the consideration, if any, for which the income was received;
4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;
5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,⁶ the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;
2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000.

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly

acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section.

This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$420.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$420 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (e), (f), and (g) of Section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or

other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.
2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
3. Loans from a person which, in the aggregate, do not exceed five hundred dollars (\$500) at any given time.
4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of \$500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.
2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person

making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

a. The date the loan was made.

b. The date the last payment of \$100 or more was made on the loan.

c. The date upon which the debtor has made payments on the loan aggregating to less than \$250 during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.

2. A loan that would otherwise not be a gift as defined in this title.

3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.

4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth \$2,000 or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth \$2,000 or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating \$500 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$420 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value \$1,000 or more.

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Section 87100 or 87450 has occurred may be set aside as void pursuant to Section 91003.

¹Designated employees who are required to file statements of economic interests under any other agency's conflict-of-interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Section 81004.

²See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

³For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

⁴Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

⁵A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

⁶Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-87302, 89501, 89502 and 89503, Government Code.

HISTORY

1. New section filed 4-2-80 as an emergency; effective upon filing (Register 80, No. 14). Certificate of Compliance included.
2. Editorial correction (Register 80, No. 29).
3. Amendment of subsection (b) filed 1-9-81; effective thirtieth day thereafter (Register 81, No. 2).
4. Amendment of subsection (b)(7)(B)1. filed 1-26-83; effective thirtieth day thereafter (Register 83, No. 5).
5. Amendment of subsection (b)(7)(A) filed 11-10-83; effective thirtieth day thereafter (Register 83, No. 46).
6. Amendment filed 4-13-87; operative 5-13-87 (Register 87, No. 16).
7. Amendment of subsection (b) filed 10-21-88; operative 11-20-88 (Register 88, No. 46).
8. Amendment of subsections (b)(8)(A) and (b)(8)(B) and numerous editorial changes filed 8-28-90; operative 9-27-90 (Reg. 90, No. 42).
9. Amendment of subsections (b)(3), (b)(8) and renumbering of following subsections and amendment of Note filed 8-7-92; operative 9-7-92 (Register 92, No. 32).
10. Amendment of subsection (b)(5.5) and new subsections (b)(5.5)(A)-(A)(2) filed 2-4-93; operative 2-4-93 (Register 93, No. 6).
11. Change without regulatory effect adopting Conflict of Interest Code for California Mental Health Planning Council filed 11-22-93 pursuant to title 1, section 100, California Code of Regulations (Register 93, No. 48). Approved by Fair Political Practices Commission 9-21-93.
12. Change without regulatory effect redesignating Conflict of Interest Code for California Mental Health Planning Council as chapter 62, section 55100 filed 1-4-94 pursuant to title 1, section 100, California Code of Regulations (Register 94, No. 1).
13. Editorial correction adding History 11 and 12 and deleting duplicate section number (Register 94, No. 17).

14. Amendment of subsection (b)(8), designation of subsection (b)(8)(A), new subsection (b)(8)(B), and amendment of subsections (b)(8.1)-(b)(8.1)(B), (b)(9)(E) and Note filed 3-14-95; operative 3-14-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 11).

15. Editorial correction inserting inadvertently omitted language in footnote 4 (Register 96, No. 13).

16. Amendment of subsections (b)(8)(A)-(B) and (b)(8.1)(A), repealer of subsection (b)(8.1)(B), and amendment of subsection (b)(12) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).

17. Amendment of subsections (b)(8.1) and (9)(E) filed 4-9-97; operative 4-9-97 pursuant to Government Code section 11343.4(d) (Register 97, No. 15).

18. Amendment of subsections (b)(7)(B)5., new subsections (b)(8.2)-(b)(8.4)(C) and amendment of Note filed 8-24-98; operative 8-24-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 35).

19. Editorial correction of subsection (a) (Register 98, No. 47).

20. Amendment of subsections (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 5-11-99; operative 5-11-99 pursuant to Government Code section 11343.4(d) (Register 99, No. 20).

21. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-6-2000; operative 1-1-2001 pursuant to the 1974 version of Government Code section 11380.2 and Title 2, California Code of Regulations, section 18312(d) and (e) (Register 2000, No. 49).

22. Amendment of subsections (b)(3) and (b)(10) filed 1-10-2001; operative 2-1-2001. Submitted to OAL for filing pursuant to Fair Political Practices Commission v. Office of Administrative Law, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 2).

23. Amendment of subsections (b)(7)(A)4., (b)(7)(B)1.-2., (b)(8.2)(E)3., (b)(9)(A)-(C) and footnote 4. filed 2-13-2001. Submitted to OAL for filing pursuant to Fair Political Practices Commission v. Office of Administrative Law, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 7).

24. Amendment of subsections (b)(8.1)-(b)(8.1)(A) filed 1-16-2003; operative 1-1-2003. Submitted to OAL for filing pursuant to Fair Political Practices Commission v. Office of Administrative Law, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2003, No. 3).

25. Editorial correction of History 24 (Register 2003, No. 12).

26. Editorial correction removing extraneous phrase in subsection (b)(9.5)(B) (Register 2004, No. 33).

27. Amendment of subsections (b)(2)-(3), (b)(3)(C), (b)(6)(C), (b)(8.1)-(b)(8.1)(A), (b)(9)(E) and (b)(11)-(12) filed 1-4-2005; operative 1-1-2005 pursuant to Government Code section 11343.4 (Register 2005, No. 1).

28. Amendment of subsection (b)(7)(A)4. filed 10-11-2005; operative 11-10-2005 (Register 2005, No. 41).

29. Amendment of subsections (a), (b)(1), (b)(3), (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 12-18-2006; operative 1-1-2007. Submitted to OAL pursuant to Fair Political Practices Commission v. Office of Administrative Law, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2006, No. 51).

30. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 10-31-2008; operative 11-30-2008. Submitted to OAL for filing pursuant to Fair Political Practices Commission v. Office of Administrative Law, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2008, No. 44).

31. Amendment of section heading and section filed 11-15-2010; operative 12-15-2010. Submitted to OAL for filing pursuant to Fair Political Practices Commission v. Office of Administrative Law, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2010, No. 47).

2 CCR § 18730, 2 ← CA ADC § 18730 →

This database is current through 9/28/12 Register 2012, No. 39

END OF DOCUMENT

APPENDIX B

MAMMOTH COMMUNITY WATER DISTRICT CONFLICT OF INTEREST CODE APPENDIX OF DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES

I. Designated Positions.¹ The positions listed below include those persons who are deemed to make, or participate in the making of, decisions which may foreseeably have a material effect on any financial interest. The persons holding the designated positions listed shall disclose interests and investments in accordance with the corresponding disclosure categories, which are defined below.

<u>Designated Positions</u>	<u>Disclosure Category</u>
District Engineer	1, 2, 3
Human Resources Manager	1, 2, 3
Executive Assistant	1, 2, 3
Purchasing Agent	3
Operations Superintendent	1, 2, 3
Maintenance Superintendent	1, 2, 3
Environmental Specialist/Public Affairs	1, 2, 3
District Counsel	1, 2, 3
Consultants ²	1, 2, 3

¹ **Officials Who Manage Public Investments:** It has been determined that the following positions manage public investments of the District (within the meaning of Govt. Code Sec. 87200) and persons holding these positions must file FPPC Form 700 pursuant to the State Political Reform Act instead of the District's conflict of interest code: Members of Board of Directors, General Manager, and Finance Manager. Therefore, these positions were deleted from the District's conflict of interest code appendix of designated positions.

² **Consultants:** "Consultant" means an individual who, pursuant to a contract with the District, either: (A) Makes a governmental decision whether to – (1) approve a rate, rule, or regulation; (2) adopt or enforce a law; (3) issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement; (4) authorize the District to enter into, modify, or renew a contract provided it is the type of contract that requires District approval; (5) grant District approval to a contract that requires District approval and to which the District is a party, or to the specifications for such a contract; (6) grant District approval to a plan, design, report, study, or similar item; or (7) adopt or grant District approval of policies, standards, or guidelines for the

District, or for any subdivision thereof; or (B) Serves in a staff capacity with the District and in that capacity participates in making a governmental decision as defined in California Code of Regulations, title 2, section 18702.2 or performs the same or substantially all the same duties for the District that would otherwise be performed by an individual holding a position specified in the District's conflict of interest code. (California Code of Regulations, title 2, section 18701(a)(2).)

"Consultants" are included in the list of designated positions and must disclose interests and investments in accordance with the broadest disclosure category in the District's conflict of interest code, subject to the following limitation: The General Manager may determine in writing that a particular consultant, although a "consultant" and "designated position," nevertheless is hired or retained to perform a range of duties that is limited in scope and therefore is not required to fully comply with the disclosure requirements described in this section. The General Manager's written determination shall include a description of the consultant's duties, and, based on that description, a statement of the extent of disclosure requirements. The written determination is a public record and shall be retained for public inspection in the same manner and location as the District's conflict of interest code.

II. Disclosure Categories

1. Investments, business positions, and income from sources located in or doing business within the District. This disclosure category is not applicable to investments with a fair market value of less than \$2000.

2. Interests in real property located in the District, including but not limited to property located within a two mile radius of any property owned or used by the District. This disclosure category is not applicable to the person's principal residence or real property interests with a fair market value of less than \$2,000.

3. Investments and business positions in business entities, and sources of income, which provide services, supplies, materials, machinery or equipment of the type utilized by the District.

{Res. 11-16-94-36, Res. 08-19-04-15 lj}
{Amended by Res. 03-16-06-05 – lj}



OFFICE OF THE CLERK
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REGULAR AGENDA REQUEST

Print

MEETING DATE	December 4, 2012	DEPARTMENT	Elections
ADDITIONAL DEPARTMENTS			
TIME REQUIRED		PERSONS APPEARING BEFORE THE BOARD	
SUBJECT	Certification of November 6, 2012, General Election		

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Certification of County Clerk-Registrar of Voters of the results of the canvass of the November 6, 2012, General Election.

RECOMMENDED ACTION:

Receive and approve as correct the Statement of Votes for the November 6, 2012, General Election, and declare elected to each office voted on under the jurisdiction of the Board of Supervisors, the person having the requisite number of votes.

FISCAL IMPACT:

None.

CONTACT NAME: Lynda Roberts

PHONE/EMAIL: 760-932-5538 / lroberts@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

- [Election Certification](#)
- [Certification and Results](#)

History

Time	Who	Approval
11/28/2012 11:18 AM	County Administrative Office	Yes
11/28/2012 2:24 PM	County Counsel	Yes
11/26/2012 1:10 PM	Finance	Yes



CLERK-RECORDER-REGISTRAR COUNTY OF MONO

P.O. BOX 237, BRIDGEPORT, CALIFORNIA 93517
(760) 932-5530 • FAX (760) 932-5531

Lynda Roberts
Clerk-Recorder
760-932-5538
lroberts@mono.ca.gov

Linda Romero
Assistant Clerk-Recorder
760-932-5534
lromero@mono.ca.gov

To: Honorable Board of Supervisors
From: Lynda Roberts, Clerk of Elections
Date: December 4, 2012

Subject

Certification of County Clerk-Registrar of Voters of the Results of the Canvass of the November 6, 2012, General Election

Recommendation

Receive and approve as correct the Statement of Votes for the November 6, 2012, General Election, and declare elected to each office voted on under the jurisdiction of the Board of Supervisors, the person having the requisite number of votes.

Discussion

Pursuant to California Elections Code §15372, "The elections official shall prepare a certified statement of the results of the election and submit it to the governing body within 28 days of the election...." The governing body shall then declare elected to each office voted on under its jurisdiction the person having the requisite number of votes (California Elections Code §15400). The Statement of Votes shows the results of the November 6, 2012, General Election, and specifies the number of votes cast by precinct in each contest.

Pursuant to Elections Code §15360, the elections office conducted a manual count of ballots cast in Precinct 6 (Lee Vining), the precinct selected by a random draw. In addition, we counted the ballots for all precincts that included the District 4 Supervisor race (which is the office under the jurisdiction of the Board of Supervisors):

- Precincts 1 (Antelope), 3 (Bridgeport), and 8 (Mammoth Meadow)

The manual count validates the results shown on the Statement of Votes report.

Fiscal Impact

None

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**CERTIFICATION OF
COUNTY CLERK/REGISTRAR OF VOTERS
OF THE RESULTS OF THE CANVASS
OF THE NOVEMBER 6, 2012, GENERAL ELECTION**

STATE OF CALIFORNIA

COUNTY OF **MONO**

} ss.

I, **LYNDA ROBERTS** , County Clerk/Registrar of Voters of said county, do hereby certify that, in pursuance to the provisions of Elections Code Section 15300, et seq., I did canvass the results of the votes cast in the General Election held in said County on November 6, 2012, for measures and contests that were submitted to the vote of the voters, and that the Statement of Votes Cast to which this certificate is attached, is full, true and correct.

I hereby set my hand and official seal this **21st** day of **NOVEMBER** 2012 at
the County of **MONO** .



Lynda Roberts

Registrar of Voters

County of **MONO**
State of California

100003	CALIFORNIA													
	Registration	Ballots Cast	Turnout (%)	PRESIDENT AND VICE PRESIDENT BARACK OBAMA	JILL STEIN	THOMAS HOEFLING	MITT ROMNEY	GARY JOHNSON	ROSEANNE BARR		U.S. SENATOR DIANNE FEINSTEIN	ELIZABETH EMKEN		
01 ANTELOPE 0001	492	232	47.15	89	1	0	138	6	0		88	141		
01 ANTELOPE - Vote By Mail	492	214	43.50	79	3	0	123	5	2		86	121		
02 BENTON - MB 0002	205	0	0.00	0	0	0	0	0	0		0	0		
02 BENTON - MB - Vote By Mail	205	181	88.29	57	5	3	106	5	1		57	118		
03 BRIDGEPORT 0003	408	172	42.16	50	1	1	120	0	0		57	111		
03 BRIDGEPORT - Vote By Mail	408	187	45.83	62	1	0	120	0	1		61	122		
04 CHALFANT VALLEY - MB 00	347	0	0.00	0	0	0	0	0	0		0	0		
04 CHALFANT VALLEY - MB - Vc	347	311	89.63	93	0	3	207	5	0		84	220		
05 JUNE LAKE 0005	363	125	34.44	46	1	1	71	2	0		46	72		
05 JUNE LAKE - Vote By Mail	363	185	50.96	104	1	1	74	2	0		101	75		
06 LEE VINING - MB 0006	244	1	0.41	1	0	0	0	0	0		1	0		
06 LEE VINING - MB - Vote By M	244	229	93.85	131	6	0	88	1	2		122	99		
07 LONG VALLEY 0007	701	349	49.79	178	3	1	156	7	1		161	167		
07 LONG VALLEY - Vote By Mail	701	293	41.80	167	2	1	117	3	0		154	127		
08 MAMMOTH MEADOW 0008	431	184	42.69	119	0	0	59	6	0		106	69		
08 MAMMOTH MEADOW - Vote f	431	187	43.39	92	1	1	85	4	0		86	93		
09 MAMMOTH MINARET 0009	789	310	39.29	193	4	1	100	6	0		179	110		
09 MAMMOTH MINARET - Vote B	789	351	44.49	186	3	0	154	4	2		171	166		
10 MAMMOTH PINECREST 001	515	183	35.53	120	0	0	61	1	0		114	62		
10 MAMMOTH PINECREST - Vot	515	251	48.74	156	0	1	91	2	0		153	93		
11 SWALL MEADOWS - MB 001	281	0	0.00	0	0	0	0	0	0		0	0		
11 SWALL MEADOWS - MB - Vot	281	260	92.53	166	1	1	87	1	0		169	81		
12 MAMMOTH VIEW 0012	712	344	48.31	227	3	2	97	10	1		217	106		
12 MAMMOTH VIEW - Vote By M	712	250	35.11	153	0	0	88	6	1		145	98		
13 OLD MAMMOTH 0013	495	196	39.60	122	0	0	65	6	1		114	65		
13 OLD MAMMOTH - Vote By Ma	495	228	46.06	142	0	0	81	3	0		128	88		
Precinct Totals	5983	2096	35.03	1145	13	6	864	44	3		1083	903		
Vote By Mail Totals	5983	3127	52.26	1588	23	11	1421	41	9		1517	1501		
Grand Totals	5983	5223	87.30	2733	36	17	2285	85	12		2600	2404		
CALIFORNIA	5983	5223	87.30	2733	36	17	2285	85	12		2600	2404		
8TH CONGRESSIONAL DISTRICT	5983	5223	87.30	2733	36	17	2285	85	12		2600	2404		
8th STATE SENATE DISTRICT	5983	5223	87.30	2733	36	17	2285	85	12		2600	2404		
5TH ASSEMBLY DISTRICT	5983	5223	87.30	2733	36	17	2285	85	12		2600	2404		
1st EQUALIZATION DISTRICT	5983	5223	87.30	2733	36	17	2285	85	12		2600	2404		
1st SUPERVISOR DISTRICT	712	594	83.43	380	3	2	185	16	2		362	204		
2nd SUPERVISOR DISTRICT	1534	1394	90.87	661	11	9	673	21	2		625	713		
3rd SUPERVISOR DISTRICT	1396	1201	86.03	661	15	3	487	15	4		620	522		
4th SUPERVISOR DISTRICT	1331	1176	88.35	491	7	2	642	21	3		484	657		
5th SUPERVISOR DISTRICT	1010	858	84.95	540	0	1	298	12	1		509	308		
MONO COUNTY	5983	5223	87.30	2733	36	17	2285	85	12		2600	2404		
TOWN OF MAMMOTH LAKES	2942	2484	84.43	1510	11	5	881	48	5		1413	950		

MONO COUNTY Statement of Vote
MONO_20121106_E

		NON-PARTISAN US REPRESENTATIVE 8TH												
100006														
		Registration	Ballots Cast	Turnout (%)		GREGG IMUS	PAUL COOK							
01 ANTELOPE 0001		492	232	47.15		123	81							
01 ANTELOPE - Vote By Mail		492	214	43.50		95	86							
02 BENTON - MB 0002		205	0	0.00		0	0							
02 BENTON - MB - Vote By Mail		205	181	88.29		89	66							
03 BRIDGEPORT 0003		408	172	42.16		84	68							
03 BRIDGEPORT - Vote By Mail		408	187	45.83		70	90							
04 CHALFANT VALLEY - MB 0004		347	0	0.00		0	0							
04 CHALFANT VALLEY - MB - Vote By Mail		347	311	89.63		164	109							
05 JUNE LAKE 0005		363	125	34.44		66	42							
05 JUNE LAKE - Vote By Mail		363	185	50.96		55	79							
06 LEE VINING - MB 0006		244	1	0.41		1	0							
06 LEE VINING - MB - Vote By Mail		244	229	93.85		91	89							
07 LONG VALLEY 0007		701	349	49.79		133	139							
07 LONG VALLEY - Vote By Mail		701	293	41.80		91	139							
08 MAMMOTH MEADOW 0008		431	184	42.69		65	67							
08 MAMMOTH MEADOW - Vote By Mail		431	187	43.39		66	69							
09 MAMMOTH MINARET 0009		789	310	39.29		112	100							
09 MAMMOTH MINARET - Vote By Mail		789	351	44.49		114	142							
10 MAMMOTH PINECREST 0010		515	183	35.53		61	75							
10 MAMMOTH PINECREST - Vote By Mail		515	251	48.74		75	114							
11 SWALL MEADOWS - MB 0011		281	0	0.00		0	0							
11 SWALL MEADOWS - MB - Vote By Mail		281	260	92.53		53	132							
12 MAMMOTH VIEW 0012		712	344	48.31		122	132							
12 MAMMOTH VIEW - Vote By Mail		712	250	35.11		59	108							
13 OLD MAMMOTH 0013		495	196	39.60		63	74							
13 OLD MAMMOTH - Vote By Mail		495	228	46.06		67	104							
Precinct Totals		5983	2096	35.03		830	778							
Vote By Mail Totals		5983	3127	52.26		1089	1327							
Grand Totals		5983	5223	87.30		1919	2105							
CALIFORNIA		5983	5223	87.30		1919	2105							
8TH CONGRESSIONAL DISTRICT		5983	5223	87.30		1919	2105							
8th STATE SENATE DISTRICT		5983	5223	87.30		1919	2105							
5TH ASSEMBLY DISTRICT		5983	5223	87.30		1919	2105							
1st EQUALIZATION DISTRICT		5983	5223	87.30		1919	2105							
1st SUPERVISOR DISTRICT		712	594	83.43		181	240							
2nd SUPERVISOR DISTRICT		1534	1394	90.87		530	585							
3rd SUPERVISOR DISTRICT		1396	1201	86.03		439	452							
4th SUPERVISOR DISTRICT		1331	1176	88.35		503	461							
5th SUPERVISOR DISTRICT		1010	858	84.95		266	367							
MONO COUNTY		5983	5223	87.30		1919	2105							
TOWN OF MAMMOTH LAKES		2942	2484	84.43		804	985							

MONO COUNTY Statement of Vote
MONO_20121106_E

100008		EASTERN SIERRA UNIFIED SCHOOL DISTRICT													
	Registration	Ballots Cast	Turnout (%)	EASTERN SIERRA USD - BRIDGEPORT GBM	PAMELA HAAS-DUHART	JOHN PETERS	EASTERN SIERRA USD - LEE VINING GBM ARYA DEGENHARDT	JAMES "JIMMY" LITTLE							
01 ANTELOPE 0001	492	232	47.15	86	132		56	149							
01 ANTELOPE - Vote By Mail	492	214	43.50	81	113		50	131							
02 BENTON - MB 0002	205	0	0.00	0	0		0	0							
02 BENTON - MB - Vote By Mail	205	181	88.29	64	86		53	99							
03 BRIDGEPORT 0003	408	172	42.16	93	76		60	109							
03 BRIDGEPORT - Vote By Mail	408	187	45.83	91	85		52	125							
04 CHALFANT VALLEY - MB 0004	347	0	0.00	0	0		0	0							
04 CHALFANT VALLEY - MB - Vote By Mail	347	311	89.63	109	123		85	153							
05 JUNE LAKE 0005	363	125	34.44	50	56		51	62							
05 JUNE LAKE - Vote By Mail	363	185	50.96	85	66		70	80							
06 LEE VINING - MB 0006	244	1	0.41	1	0		1	0							
06 LEE VINING - MB - Vote By Mail	244	229	93.85	132	64		152	69							
Precinct Totals	2059	530	25.74	230	264		168	320							
Vote By Mail Totals	2059	1307	63.48	562	537		462	657							
Grand Totals	2059	1837	89.22	792	801		630	977							
CALIFORNIA	2059	1837	89.22	792	801		630	977							
8TH CONGRESSIONAL DISTRICT	2059	1837	89.22	792	801		630	977							
8th STATE SENATE DISTRICT	2059	1837	89.22	792	801		630	977							
5TH ASSEMBLY DISTRICT	2059	1837	89.22	792	801		630	977							
1st EQUALIZATION DISTRICT	2059	1837	89.22	792	801		630	977							
2nd SUPERVISOR DISTRICT	552	492	89.13	173	209		138	252							
3rd SUPERVISOR DISTRICT	607	540	88.96	268	186		274	211							
4th SUPERVISOR DISTRICT	900	805	89.44	351	406		218	514							
MONO COUNTY	2059	1837	89.22	792	801		630	977							

MONO COUNTY Statement of Vote
MONO_20121106_E

140012	CALIFORNIA													
	Registration	Ballots Cast	Turnout (%)	PROP 30 YES	NO	PROP 31 YES	NO	PROP 32 YES	NO	PROP 33 YES	NO			
01 ANTELOPE 0001	492	232	47.15	83	146	97	125	135	90	111	111			
01 ANTELOPE - Vote By Mail	492	214	43.50	73	134	90	101	129	76	122	84			
02 BENTON - MB 0002	205	0	0.00	0	0	0	0	0	0	0	0			
02 BENTON - MB - Vote By Mail	205	181	88.29	65	113	48	120	94	82	73	104			
03 BRIDGEPORT 0003	408	172	42.16	48	120	66	94	99	66	64	100			
03 BRIDGEPORT - Vote By Mail	408	187	45.83	57	125	59	113	107	71	82	96			
04 CHALFANT VALLEY - MB 00	347	0	0.00	0	0	0	0	0	0	0	0			
04 CHALFANT VALLEY - MB - Vc	347	311	89.63	94	211	99	186	173	123	136	162			
05 JUNE LAKE 0005	363	125	34.44	45	74	48	66	68	52	60	58			
05 JUNE LAKE - Vote By Mail	363	185	50.96	77	99	65	105	82	91	80	90			
06 LEE VINING - MB 0006	244	1	0.41	1	0	1	0	0	1	1	0			
06 LEE VINING - MB - Vote By M	244	229	93.85	121	100	68	140	114	103	99	117			
07 LONG VALLEY 0007	701	349	49.79	189	147	130	182	188	137	137	188			
07 LONG VALLEY - Vote By Mail	701	293	41.80	164	121	103	164	139	136	119	159			
08 MAMMOTH MEADOW 0008	431	184	42.69	105	73	67	96	77	94	73	100			
08 MAMMOTH MEADOW - Vote B	431	187	43.39	77	101	83	88	98	82	80	98			
09 MAMMOTH MINARET 0009	789	310	39.29	173	125	118	150	137	153	123	166			
09 MAMMOTH MINARET - Vote B	789	351	44.49	172	170	140	171	181	154	157	180			
10 MAMMOTH PINECREST 001	515	183	35.53	120	56	66	94	86	84	71	94			
10 MAMMOTH PINECREST - Vot	515	251	48.74	135	109	87	145	108	132	101	142			
11 SWALL MEADOWS - MB 001	281	0	0.00	0	0	0	0	0	0	0	0			
11 SWALL MEADOWS - MB - Vot	281	260	92.53	160	92	76	160	105	149	101	146			
12 MAMMOTH VIEW 0012	712	344	48.31	222	104	129	168	149	166	153	159			
12 MAMMOTH VIEW - Vote By M	712	250	35.11	144	97	108	116	110	125	108	132			
13 OLD MAMMOTH 0013	495	196	39.60	125	62	75	90	83	93	84	91			
13 OLD MAMMOTH - Vote By Ma	495	228	46.06	125	98	74	129	103	114	100	114			
Precinct Totals	5983	2096	35.03	1111	907	797	1065	1022	936	877	1067			
Vote By Mail Totals	5983	3127	52.26	1464	1570	1100	1738	1543	1438	1356	1624			
Grand Totals	5983	5223	87.30	2575	2477	1897	2803	2565	2374	2235	2691			
CALIFORNIA	5983	5223	87.30	2575	2477	1897	2803	2565	2374	2235	2691			
8TH CONGRESSIONAL DISTRICT	5983	5223	87.30	2575	2477	1897	2803	2565	2374	2235	2691			
8th STATE SENATE DISTRICT	5983	5223	87.30	2575	2477	1897	2803	2565	2374	2235	2691			
5TH ASSEMBLY DISTRICT	5983	5223	87.30	2575	2477	1897	2803	2565	2374	2235	2691			
1st EQUALIZATION DISTRICT	5983	5223	87.30	2575	2477	1897	2803	2565	2374	2235	2691			
1st SUPERVISOR DISTRICT	712	594	83.43	366	201	237	284	259	291	261	291			
2nd SUPERVISOR DISTRICT	1534	1394	90.87	672	684	456	812	699	627	566	759			
3rd SUPERVISOR DISTRICT	1396	1201	86.03	589	568	440	632	582	554	520	611			
4th SUPERVISOR DISTRICT	1331	1176	88.35	443	699	462	617	645	479	532	589			
5th SUPERVISOR DISTRICT	1010	858	84.95	505	325	302	458	380	423	356	441			
MONO COUNTY	5983	5223	87.30	2575	2477	1897	2803	2565	2374	2235	2691			
TOWN OF MAMMOTH LAKES	2942	2484	84.43	1398	995	947	1247	1132	1197	1050	1276			

MONO COUNTY Statement of Vote
MONO_20121106_E

140016	CALIFORNIA												
	Registration	Ballots Cast	Turnout (%)	PROP 34 YES	NO	PROP 35 YES	NO	PROP 36 YES	NO	PROP 37 YES	NO		
01 ANTELOPE 0001	492	232	47.15	54	171	193	35	133	93	106	119		
01 ANTELOPE - Vote By Mail	492	214	43.50	59	143	169	30	121	79	95	110		
02 BENTON - MB 0002	205	0	0.00	0	0	0	0	0	0	0	0		
02 BENTON - MB - Vote By Mail	205	181	88.29	50	126	135	33	104	70	79	97		
03 BRIDGEPORT 0003	408	172	42.16	37	127	132	33	95	67	67	98		
03 BRIDGEPORT - Vote By Mail	408	187	45.83	46	133	139	37	100	77	91	88		
04 CHALFANT VALLEY - MB 00	347	0	0.00	0	0	0	0	0	0	0	0		
04 CHALFANT VALLEY - MB - Vc	347	311	89.63	60	243	252	52	187	112	119	177		
05 JUNE LAKE 0005	363	125	34.44	45	74	84	32	73	46	66	56		
05 JUNE LAKE - Vote By Mail	363	185	50.96	75	102	143	33	120	55	86	90		
06 LEE VINING - MB 0006	244	1	0.41	1	0	0	1	1	0	1	0		
06 LEE VINING - MB - Vote By M	244	229	93.85	97	118	169	47	172	49	140	79		
07 LONG VALLEY 0007	701	349	49.79	109	220	280	49	226	103	202	138		
07 LONG VALLEY - Vote By Mail	701	293	41.80	107	173	229	50	203	76	163	119		
08 MAMMOTH MEADOW 0008	431	184	42.69	75	99	143	28	125	48	111	62		
08 MAMMOTH MEADOW - Vote B	431	187	43.39	60	115	139	37	139	40	90	91		
09 MAMMOTH MINARET 0009	789	310	39.29	144	153	234	60	230	65	189	106		
09 MAMMOTH MINARET - Vote B	789	351	44.49	138	199	272	70	253	88	197	144		
10 MAMMOTH PINECREST 001	515	183	35.53	70	101	141	36	127	46	110	65		
10 MAMMOTH PINECREST - Vot	515	251	48.74	128	116	182	62	185	62	133	113		
11 SWALL MEADOWS - MB 001	281	0	0.00	0	0	0	0	0	0	0	0		
11 SWALL MEADOWS - MB - Vot	281	260	92.53	133	114	211	35	196	52	154	99		
12 MAMMOTH VIEW 0012	712	344	48.31	146	177	266	56	243	74	232	93		
12 MAMMOTH VIEW - Vote By M	712	250	35.11	99	137	210	27	185	56	150	91		
13 OLD MAMMOTH 0013	495	196	39.60	98	83	148	35	143	36	123	60		
13 OLD MAMMOTH - Vote By Ma	495	228	46.06	114	104	176	40	166	51	133	87		
Precinct Totals	5983	2096	35.03	779	1205	1621	365	1396	578	1207	797		
Vote By Mail Totals	5983	3127	52.26	1166	1823	2426	553	2131	867	1632	1385		
Grand Totals	5983	5223	87.30	1945	3028	4047	918	3527	1445	2839	2182		
CALIFORNIA	5983	5223	87.30	1945	3028	4047	918	3527	1445	2839	2182		
8TH CONGRESSIONAL DISTRIC	5983	5223	87.30	1945	3028	4047	918	3527	1445	2839	2182		
8th STATE SENATE DISTRICT	5983	5223	87.30	1945	3028	4047	918	3527	1445	2839	2182		
5TH ASSEMBLY DISTRICT	5983	5223	87.30	1945	3028	4047	918	3527	1445	2839	2182		
1st EQUALIZATION DISTRICT	5983	5223	87.30	1945	3028	4047	918	3527	1445	2839	2182		
1st SUPERVISOR DISTRICT	712	594	83.43	245	314	476	83	428	130	382	184		
2nd SUPERVISOR DISTRICT	1534	1394	90.87	459	876	1107	219	916	413	717	630		
3rd SUPERVISOR DISTRICT	1396	1201	86.03	500	646	902	243	849	303	681	475		
4th SUPERVISOR DISTRICT	1331	1176	88.35	331	788	915	200	713	404	560	568		
5th SUPERVISOR DISTRICT	1010	858	84.95	410	404	647	173	621	195	499	325		
MONO COUNTY	5983	5223	87.30	1945	3028	4047	918	3527	1445	2839	2182		
TOWN OF MAMMOTH LAKES	2942	2484	84.43	1072	1284	1911	451	1796	566	1466	912		

MONO COUNTY Statement of Vote
MONO_20121106_E

CALIFORNIA													
140020	Registration	Ballots Cast	Turnout (%)	PROP 38 YES	NO	PROP 39 YES	NO	PROP 40 YES	NO				
01 ANTELOPE 0001	492	232	47.15	49	172	97	125	135	87				
01 ANTELOPE - Vote By Mail	492	214	43.50	40	165	102	99	149	50				
02 BENTON - MB 0002	205	0	0.00	0	0	0	0	0	0				
02 BENTON - MB - Vote By Mail	205	181	88.29	26	150	59	112	119	48				
03 BRIDGEPORT 0003	408	172	42.16	30	136	68	97	92	69				
03 BRIDGEPORT - Vote By Mail	408	187	45.83	38	140	79	95	117	58				
04 CHALFANT VALLEY - MB 0004	347	0	0.00	0	0	0	0	0	0				
04 CHALFANT VALLEY - MB - Vote By Mail	347	311	89.63	52	253	125	166	230	56				
05 JUNE LAKE 0005	363	125	34.44	26	91	49	69	76	39				
05 JUNE LAKE - Vote By Mail	363	185	50.96	45	132	102	71	127	39				
06 LEE VINING - MB 0006	244	1	0.41	0	1	1	0	1	0				
06 LEE VINING - MB - Vote By Mail	244	229	93.85	59	151	135	80	141	63				
07 LONG VALLEY 0007	701	349	49.79	83	242	166	158	233	80				
07 LONG VALLEY - Vote By Mail	701	293	41.80	81	194	172	99	203	55				
08 MAMMOTH MEADOW 0008	431	184	42.69	48	123	104	66	117	41				
08 MAMMOTH MEADOW - Vote By Mail	431	187	43.39	36	142	89	87	134	37				
09 MAMMOTH MINARET 0009	789	310	39.29	86	202	184	102	202	69				
09 MAMMOTH MINARET - Vote By Mail	789	351	44.49	95	240	208	129	255	62				
10 MAMMOTH PINECREST 0010	515	183	35.53	59	109	110	54	114	40				
10 MAMMOTH PINECREST - Vote By Mail	515	251	48.74	60	184	155	82	200	32				
11 SWALL MEADOWS - MB 0011	281	0	0.00	0	0	0	0	0	0				
11 SWALL MEADOWS - MB - Vote By Mail	281	260	92.53	50	200	169	79	205	33				
12 MAMMOTH VIEW 0012	712	344	48.31	127	192	212	96	210	78				
12 MAMMOTH VIEW - Vote By Mail	712	250	35.11	68	167	147	88	170	45				
13 OLD MAMMOTH 0013	495	196	39.60	74	104	110	65	120	41				
13 OLD MAMMOTH - Vote By Mail	495	228	46.06	68	151	139	75	167	32				
Precinct Totals	5983	2096	35.03	582	1372	1101	832	1300	544				
Vote By Mail Totals	5983	3127	52.26	718	2269	1681	1262	2217	610				
Grand Totals	5983	5223	87.30	1300	3641	2782	2094	3517	1154				
CALIFORNIA	5983	5223	87.30	1300	3641	2782	2094	3517	1154				
8TH CONGRESSIONAL DISTRICT	5983	5223	87.30	1300	3641	2782	2094	3517	1154				
8th STATE SENATE DISTRICT	5983	5223	87.30	1300	3641	2782	2094	3517	1154				
5TH ASSEMBLY DISTRICT	5983	5223	87.30	1300	3641	2782	2094	3517	1154				
1st EQUALIZATION DISTRICT	5983	5223	87.30	1300	3641	2782	2094	3517	1154				
1st SUPERVISOR DISTRICT	712	594	83.43	195	359	359	184	390	123				
2nd SUPERVISOR DISTRICT	1534	1394	90.87	292	1039	691	614	990	272				
3rd SUPERVISOR DISTRICT	1396	1201	86.03	311	817	679	451	802	272				
4th SUPERVISOR DISTRICT	1331	1176	88.35	241	878	539	569	744	342				
5th SUPERVISOR DISTRICT	1010	858	84.95	261	548	514	276	601	145				
MONO COUNTY	5983	5223	87.30	1300	3641	2782	2094	3517	1154				
TOWN OF MAMMOTH LAKES	2942	2484	84.43	721	1614	1458	844	1689	477				

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Registration & Turnout		5,983	Voters
Election Day Turnout		2,096	35.03%
Vote By Mail Turnout		3,127	52.26%
	Total ...	5,223	87.30%
President and Vice President		13/13	100.00%
DEM - BARACK OBAMA		2,733	52.88%
GRN - JILL STEIN		36	0.70%
AI - THOMAS HOEFLING		17	0.33%
REP - MITT ROMNEY		2,285	44.21%
LIB - GARY JOHNSON		85	1.64%
PF - ROSEANNE BARR		12	0.23%
	Total ...	5,168	100.00%
U.S. SENATOR		13/13	100.00%
DEM - DIANNE FEINSTEIN		2,600	51.96%
REP - ELIZABETH EMKEN		2,404	48.04%
	Total ...	5,004	100.00%
US REPRESENTATIVE 8th		13/13	100.00%
REP - GREGG IMUS		1,919	47.69%
REP - PAUL COOK		2,105	52.31%
	Total ...	4,024	100.00%
STATE ASSEMBLY DISTRICT 5		13/13	100.00%
REP - RICO OLLER		1,977	51.92%
REP - FRANK BIGELOW		1,831	48.08%
	Total ...	3,808	100.00%
EASTERN SIERRA USD - Bridgeport GBM		6/6	100.00%
NON - PAMELA HAAS-DUHART		792	49.72%
NON - JOHN PETERS		801	50.28%
	Total ...	1,593	100.00%
EASTERN SIERRA USD - Lee Vining GBM		6/6	100.00%
NON - ARYA DEGENHARDT		630	39.20%
NON - JAMES "JIMMY" LITTLE		977	60.80%
	Total ...	1,607	100.00%
MAMMOTH Unified School District - GBM		6/6	100.00%
NON - JOHN STAVLO		1,470	35.85%
NON - SHANA J. STAPP		1,721	41.98%
NON - LUIS VILLANUEVA		909	22.17%
	Total ...	4,100	100.00%
SUPERVISOR, 4th DISTRICT		3/3	100.00%
NON - TIM FESKO		579	53.66%
NON - BOB PETERS		500	46.34%
	Total ...	1,079	100.00%
Prop 30		13/13	100.00%
YES		2,575	50.97%
NO		2,477	49.03%
	Total ...	5,052	100.00%

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Prop 31		13/13	100.00%
YES		1,897	40.36%
NO		2,803	59.64%
	Total ...	4,700	100.00%
Prop 32		13/13	100.00%
YES		2,565	51.93%
NO		2,374	48.07%
	Total ...	4,939	100.00%
Prop 33		13/13	100.00%
YES		2,235	45.37%
NO		2,691	54.63%
	Total ...	4,926	100.00%
Prop 34		13/13	100.00%
YES		1,945	39.11%
NO		3,028	60.89%
	Total ...	4,973	100.00%
Prop 35		13/13	100.00%
YES		4,047	81.51%
NO		918	18.49%
	Total ...	4,965	100.00%
Prop 36		13/13	100.00%
YES		3,527	70.94%
NO		1,445	29.06%
	Total ...	4,972	100.00%
Prop 37		13/13	100.00%
YES		2,839	56.54%
NO		2,182	43.46%
	Total ...	5,021	100.00%
Prop 38		13/13	100.00%
YES		1,300	26.31%
NO		3,641	73.69%
	Total ...	4,941	100.00%
Prop 39		13/13	100.00%
YES		2,782	57.05%
NO		2,094	42.95%
	Total ...	4,876	100.00%
Prop 40		13/13	100.00%
YES		3,517	75.29%
NO		1,154	24.71%
	Total ...	4,671	100.00%

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01 ANTELOPE

Registration & Turnout		492	
Election Day Turnout	232	47.15%	
Vote By Mail Turnout	214	43.50%	
Total...	446	90.65%	
President and Vice President		(Final)	
DEM - BARACK OBAMA	168	37.92%	
GRN - JILL STEIN	4	0.90%	
AI - THOMAS HOEFLING	0	0.00%	
REP - MITT ROMNEY	258	58.24%	
LIB - GARY JOHNSON	11	2.48%	
PF - ROSEANNE BARR	2	0.45%	
Total...	443	100.00%	
U.S. SENATOR		(Final)	
DEM - DIANNE FEINSTEIN	174	39.91%	
REP - ELIZABETH EMKEN	262	60.09%	
Total...	436	100.00%	
US REPRESENTATIVE 8th		(Final)	
REP - GREGG IMUS	218	56.62%	
REP - PAUL COOK	167	43.38%	
Total...	385	100.00%	
STATE ASSEMBLY DISTRICT 5		(Final)	
REP - RICO OLLER	221	57.55%	
REP - FRANK BIGELOW	163	42.45%	
Total...	384	100.00%	
EASTERN SIERRA USD - Bridgeport GBM		(Final)	
NON - PAMELA HAAS-DUHART	167	40.53%	
NON - JOHN PETERS	245	59.47%	
Total...	412	100.00%	
EASTERN SIERRA USD - Lee Vining GBM		(Final)	
NON - ARYA DEGENHARDT	106	27.46%	
NON - JAMES "JIMMY" LITTLE	280	72.54%	
Total...	386	100.00%	
SUPERVISOR, 4th DISTRICT		(Final)	
NON - TIM FESKO	305	70.44%	
NON - BOB PETERS	128	29.56%	
Total...	433	100.00%	
Prop 30		(Final)	
YES	156	35.78%	
NO	280	64.22%	
Total...	436	100.00%	
Prop 31		(Final)	
YES	187	45.28%	
NO	226	54.72%	
Total...	413	100.00%	
Prop 32		(Final)	
YES	264	61.40%	
NO	166	38.60%	
Total...	430	100.00%	

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01 ANTELOPE

		(Final)	
Prop 33			
YES	233	54.44%	
NO	195	45.56%	
	Total...	428	100.00%
Prop 34			
YES	113	26.46%	
NO	314	73.54%	
	Total...	427	100.00%
Prop 35			
YES	362	84.78%	
NO	65	15.22%	
	Total...	427	100.00%
Prop 36			
YES	254	59.62%	
NO	172	40.38%	
	Total...	426	100.00%
Prop 37			
YES	201	46.74%	
NO	229	53.26%	
	Total...	430	100.00%
Prop 38			
YES	89	20.89%	
NO	337	79.11%	
	Total...	426	100.00%
Prop 39			
YES	199	47.04%	
NO	224	52.96%	
	Total...	423	100.00%
Prop 40			
YES	284	67.46%	
NO	137	32.54%	
	Total...	421	100.00%

02 BENTON - MB

		205	
Registration & Turnout			
Election Day Turnout	0	0.00%	
Vote By Mail Turnout	181	88.29%	
	Total...	181	88.29%
President and Vice President			
DEM - BARACK OBAMA	57	32.20%	
GRN - JILL STEIN	5	2.82%	
AI - THOMAS HOEFLING	3	1.69%	
REP - MITT ROMNEY	106	59.89%	
LIB - GARY JOHNSON	5	2.82%	
PF - ROSEANNE BARR	1	0.56%	
	Total...	177	100.00%
U.S. SENATOR			
DEM - DIANNE FEINSTEIN	57	32.57%	
REP - ELIZABETH EMKEN	118	67.43%	
	Total...	175	100.00%

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02 BENTON - MB

US REPRESENTATIVE 8th (Final)

REP - GREGG IMUS	89	57.42%
REP - PAUL COOK	66	42.58%
Total...	155	100.00%

STATE ASSEMBLY DISTRICT 5 (Final)

REP - RICO OLLER	72	50.00%
REP - FRANK BIGELOW	72	50.00%
Total...	144	100.00%

EASTERN SIERRA USD - Bridgeport GBM (Final)

NON - PAMELA HAAS-DUHART	64	42.67%
NON - JOHN PETERS	86	57.33%
Total...	150	100.00%

EASTERN SIERRA USD - Lee Vining GBM (Final)

NON - ARYA DEGENHARDT	53	34.87%
NON - JAMES "JIMMY" LITTLE	99	65.13%
Total...	152	100.00%

Prop 30 (Final)

YES	65	36.52%
NO	113	63.48%
Total...	178	100.00%

Prop 31 (Final)

YES	48	28.57%
NO	120	71.43%
Total...	168	100.00%

Prop 32 (Final)

YES	94	53.41%
NO	82	46.59%
Total...	176	100.00%

Prop 33 (Final)

YES	73	41.24%
NO	104	58.76%
Total...	177	100.00%

Prop 34 (Final)

YES	50	28.41%
NO	126	71.59%
Total...	176	100.00%

Prop 35 (Final)

YES	135	80.36%
NO	33	19.64%
Total...	168	100.00%

Prop 36 (Final)

YES	104	59.77%
NO	70	40.23%
Total...	174	100.00%

Prop 37 (Final)

YES	79	44.89%
NO	97	55.11%
Total...	176	100.00%

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02 BENTON - MB

Prop 38		(Final)	
YES	26	14.77%	
NO	150	85.23%	
Total...	176	100.00%	
Prop 39		(Final)	
YES	59	34.50%	
NO	112	65.50%	
Total...	171	100.00%	
Prop 40		(Final)	
YES	119	71.26%	
NO	48	28.74%	
Total...	167	100.00%	

03 BRIDGEPORT

Registration & Turnout		408	
Election Day Turnout	172	42.16%	
Vote By Mail Turnout	187	45.83%	
Total...	359	87.99%	
President and Vice President		(Final)	
DEM - BARACK OBAMA	112	31.46%	
GRN - JILL STEIN	2	0.56%	
AI - THOMAS HOEFLING	1	0.28%	
REP - MITT ROMNEY	240	67.42%	
LIB - GARY JOHNSON	0	0.00%	
PF - ROSEANNE BARR	1	0.28%	
Total...	356	100.00%	
U.S. SENATOR		(Final)	
DEM - DIANNE FEINSTEIN	118	33.62%	
REP - ELIZABETH EMKEN	233	66.38%	
Total...	351	100.00%	
US REPRESENTATIVE 8th		(Final)	
REP - GREGG IMUS	154	49.36%	
REP - PAUL COOK	158	50.64%	
Total...	312	100.00%	
STATE ASSEMBLY DISTRICT 5		(Final)	
REP - RICO OLLER	222	70.70%	
REP - FRANK BIGELOW	92	29.30%	
Total...	314	100.00%	
EASTERN SIERRA USD - Bridgeport GBM		(Final)	
NON - PAMELA HAAS-DUHART	184	53.33%	
NON - JOHN PETERS	161	46.67%	
Total...	345	100.00%	
EASTERN SIERRA USD - Lee Vining GBM		(Final)	
NON - ARYA DEGENHARDT	112	32.37%	
NON - JAMES "JIMMY" LITTLE	234	67.63%	
Total...	346	100.00%	
SUPERVISOR, 4th DISTRICT		(Final)	
NON - TIM FESKO	152	43.80%	
NON - BOB PETERS	195	56.20%	
Total...	347	100.00%	

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03 BRIDGEPORT

Prop 30		(Final)	
YES	105	30.00%	
NO	245	70.00%	
	Total...	350	100.00%
Prop 31		(Final)	
YES	125	37.65%	
NO	207	62.35%	
	Total...	332	100.00%
Prop 32		(Final)	
YES	206	60.06%	
NO	137	39.94%	
	Total...	343	100.00%
Prop 33		(Final)	
YES	146	42.69%	
NO	196	57.31%	
	Total...	342	100.00%
Prop 34		(Final)	
YES	83	24.20%	
NO	260	75.80%	
	Total...	343	100.00%
Prop 35		(Final)	
YES	271	79.47%	
NO	70	20.53%	
	Total...	341	100.00%
Prop 36		(Final)	
YES	195	57.52%	
NO	144	42.48%	
	Total...	339	100.00%
Prop 37		(Final)	
YES	158	45.93%	
NO	186	54.07%	
	Total...	344	100.00%
Prop 38		(Final)	
YES	68	19.77%	
NO	276	80.23%	
	Total...	344	100.00%
Prop 39		(Final)	
YES	147	43.36%	
NO	192	56.64%	
	Total...	339	100.00%
Prop 40		(Final)	
YES	209	62.20%	
NO	127	37.80%	
	Total...	336	100.00%

04 CHALFANT VALLEY - MB

Registration & Turnout		347	
Election Day Turnout	0	0.00%	
Vote By Mail Turnout	311	89.63%	
	Total...	311	89.63%

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04 CHALFANT VALLEY - MB

President and Vice President			(Final)
DEM - BARACK OBAMA	93	30.19%	
GRN - JILL STEIN	0	0.00%	
AI - THOMAS HOEFLING	3	0.97%	
REP - MITT ROMNEY	207	67.21%	
LIB - GARY JOHNSON	5	1.62%	
PF - ROSEANNE BARR	0	0.00%	
Total...	308	0.00%	

U.S. SENATOR			(Final)
DEM - DIANNE FEINSTEIN	84	27.63%	
REP - ELIZABETH EMKEN	220	72.37%	
Total...	304	100.00%	

US REPRESENTATIVE 8th			(Final)
REP - GREGG IMUS	164	60.07%	
REP - PAUL COOK	109	39.93%	
Total...	273	100.00%	

STATE ASSEMBLY DISTRICT 5			(Final)
REP - RICO OLLER	104	41.11%	
REP - FRANK BIGELOW	149	58.89%	
Total...	253	100.00%	

EASTERN SIERRA USD - Bridgeport GBM			(Final)
NON - PAMELA HAAS-DUHART	109	46.98%	
NON - JOHN PETERS	123	53.02%	
Total...	232	100.00%	

EASTERN SIERRA USD - Lee Vining GBM			(Final)
NON - ARYA DEGENHARDT	85	35.71%	
NON - JAMES "JIMMY" LITTLE	153	64.29%	
Total...	238	100.00%	

Prop 30			(Final)
YES	94	30.82%	
NO	211	69.18%	
Total...	305	100.00%	

Prop 31			(Final)
YES	99	34.74%	
NO	186	65.26%	
Total...	285	100.00%	

Prop 32			(Final)
YES	173	58.45%	
NO	123	41.55%	
Total...	296	100.00%	

Prop 33			(Final)
YES	136	45.64%	
NO	162	54.36%	
Total...	298	100.00%	

Prop 34			(Final)
YES	60	19.80%	
NO	243	80.20%	
Total...	303	100.00%	

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04 CHALFANT VALLEY - MB

		(Final)	
Prop 35			
YES	252	82.89%	
NO	52	17.11%	
	Total...	304	100.00%
Prop 36			
YES	187	62.54%	
NO	112	37.46%	
	Total...	299	100.00%
Prop 37			
YES	119	40.20%	
NO	177	59.80%	
	Total...	296	100.00%
Prop 38			
YES	52	17.05%	
NO	253	82.95%	
	Total...	305	100.00%
Prop 39			
YES	125	42.96%	
NO	166	57.04%	
	Total...	291	100.00%
Prop 40			
YES	230	80.42%	
NO	56	19.58%	
	Total...	286	100.00%

05 JUNE LAKE

Registration & Turnout		363	
Election Day Turnout	125	34.44%	
Vote By Mail Turnout	185	50.96%	
	Total...	310	85.40%
President and Vice President			
		(Final)	
DEM - BARACK OBAMA	150	49.50%	
GRN - JILL STEIN	2	0.66%	
AI - THOMAS HOEFLING	2	0.66%	
REP - MITT ROMNEY	145	47.85%	
LIB - GARY JOHNSON	4	1.32%	
PF - ROSEANNE BARR	0	0.00%	
	Total...	303	0.00%
U.S. SENATOR			
		(Final)	
DEM - DIANNE FEINSTEIN	147	50.00%	
REP - ELIZABETH EMKEN	147	50.00%	
	Total...	294	100.00%
US REPRESENTATIVE 8th			
		(Final)	
REP - GREGG IMUS	121	50.00%	
REP - PAUL COOK	121	50.00%	
	Total...	242	100.00%
STATE ASSEMBLY DISTRICT 5			
		(Final)	
REP - RICO OLLER	137	57.56%	
REP - FRANK BIGELOW	101	42.44%	
	Total...	238	100.00%

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05 JUNE LAKE

EASTERN SIERRA USD - Bridgeport GBM (Final)

NON - PAMELA HAAS-DUHART	135	52.53%
NON - JOHN PETERS	122	47.47%
Total...	257	100.00%

EASTERN SIERRA USD - Lee Vining GBM (Final)

NON - ARYA DEGENHARDT	121	46.01%
NON - JAMES "JIMMY" LITTLE	142	53.99%
Total...	263	100.00%

Prop 30 (Final)

YES	122	41.36%
NO	173	58.64%
Total...	295	100.00%

Prop 31 (Final)

YES	113	39.79%
NO	171	60.21%
Total...	284	100.00%

Prop 32 (Final)

YES	150	51.19%
NO	143	48.81%
Total...	293	100.00%

Prop 33 (Final)

YES	140	48.61%
NO	148	51.39%
Total...	288	100.00%

Prop 34 (Final)

YES	120	40.54%
NO	176	59.46%
Total...	296	100.00%

Prop 35 (Final)

YES	227	77.74%
NO	65	22.26%
Total...	292	100.00%

Prop 36 (Final)

YES	193	65.65%
NO	101	34.35%
Total...	294	100.00%

Prop 37 (Final)

YES	154	51.33%
NO	146	48.67%
Total...	300	100.00%

Prop 38 (Final)

YES	71	24.15%
NO	223	75.85%
Total...	294	100.00%

Prop 39 (Final)

YES	151	51.89%
NO	140	48.11%
Total...	291	100.00%

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05 JUNE LAKE

		(Final)	
Prop 40			
YES	203	72.24%	
NO	78	27.76%	
Total...	281	100.00%	

06 LEE VINING - MB

		244	
Registration & Turnout			
Election Day Turnout	1	0.41%	
Vote By Mail Turnout	229	93.85%	
Total...	230	94.26%	

		(Final)	
President and Vice President			
DEM - BARACK OBAMA	132	57.64%	
GRN - JILL STEIN	6	2.62%	
AI - THOMAS HOEFLING	0	0.00%	
REP - MITT ROMNEY	88	38.43%	
LIB - GARY JOHNSON	1	0.44%	
PF - ROSEANNE BARR	2	0.87%	
Total...	229	100.00%	

		(Final)	
U.S. SENATOR			
DEM - DIANNE FEINSTEIN	123	55.41%	
REP - ELIZABETH EMKEN	99	44.59%	
Total...	222	100.00%	

		(Final)	
US REPRESENTATIVE 8th			
REP - GREGG IMUS	92	50.83%	
REP - PAUL COOK	89	49.17%	
Total...	181	100.00%	

		(Final)	
STATE ASSEMBLY DISTRICT 5			
REP - RICO OLLER	94	55.62%	
REP - FRANK BIGELOW	75	44.38%	
Total...	169	100.00%	

		(Final)	
EASTERN SIERRA USD - Bridgeport GBM			
NON - PAMELA HAAS-DUHART	133	67.51%	
NON - JOHN PETERS	64	32.49%	
Total...	197	100.00%	

		(Final)	
EASTERN SIERRA USD - Lee Vining GBM			
NON - ARYA DEGENHARDT	153	68.92%	
NON - JAMES "JIMMY" LITTLE	69	31.08%	
Total...	222	100.00%	

		(Final)	
Prop 30			
YES	122	54.95%	
NO	100	45.05%	
Total...	222	100.00%	

		(Final)	
Prop 31			
YES	69	33.01%	
NO	140	66.99%	
Total...	209	100.00%	

		(Final)	
Prop 32			
YES	114	52.29%	
NO	104	47.71%	
Total...	218	100.00%	

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06 LEE VINING - MB

Prop 33		(Final)	
YES	100	46.08%	
NO	117	53.92%	
	Total...	217	100.00%

Prop 34		(Final)	
YES	98	45.37%	
NO	118	54.63%	
	Total...	216	100.00%

Prop 35		(Final)	
YES	169	77.88%	
NO	48	22.12%	
	Total...	217	100.00%

Prop 36		(Final)	
YES	173	77.93%	
NO	49	22.07%	
	Total...	222	100.00%

Prop 37		(Final)	
YES	141	64.09%	
NO	79	35.91%	
	Total...	220	100.00%

Prop 38		(Final)	
YES	59	27.96%	
NO	152	72.04%	
	Total...	211	100.00%

Prop 39		(Final)	
YES	136	62.96%	
NO	80	37.04%	
	Total...	216	100.00%

Prop 40		(Final)	
YES	142	69.27%	
NO	63	30.73%	
	Total...	205	100.00%

07 LONG VALLEY

Registration & Turnout		701	
Election Day Turnout	349	49.79%	
Vote By Mail Turnout	293	41.80%	
	Total...	642	91.58%

President and Vice President		(Final)	
DEM - BARACK OBAMA	345	54.25%	
GRN - JILL STEIN	5	0.79%	
AI - THOMAS HOEFLING	2	0.31%	
REP - MITT ROMNEY	273	42.92%	
LIB - GARY JOHNSON	10	1.57%	
PF - ROSEANNE BARR	1	0.16%	
	Total...	636	100.00%

U.S. SENATOR		(Final)	
DEM - DIANNE FEINSTEIN	315	51.72%	
REP - ELIZABETH EMKEN	294	48.28%	
	Total...	609	100.00%

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07 LONG VALLEY

US REPRESENTATIVE 8th (Final)

REP - GREGG IMUS	224	44.62%
REP - PAUL COOK	278	55.38%
Total...	502	100.00%

STATE ASSEMBLY DISTRICT 5 (Final)

REP - RICO OLLER	248	52.54%
REP - FRANK BIGELOW	224	47.46%
Total...	472	100.00%

MAMMOTH Unified School District - GBM (Final)

NON - JOHN STAVLO	323	37.08%
NON - SHANA J. STAPP	359	41.22%
NON - LUIS VILLANUEVA	189	21.70%
Total...	871	100.00%

Prop 30 (Final)

YES	353	56.84%
NO	268	43.16%
Total...	621	100.00%

Prop 31 (Final)

YES	233	40.24%
NO	346	59.76%
Total...	579	100.00%

Prop 32 (Final)

YES	327	54.50%
NO	273	45.50%
Total...	600	100.00%

Prop 33 (Final)

YES	256	42.45%
NO	347	57.55%
Total...	603	100.00%

Prop 34 (Final)

YES	216	35.47%
NO	393	64.53%
Total...	609	100.00%

Prop 35 (Final)

YES	509	83.72%
NO	99	16.28%
Total...	608	100.00%

Prop 36 (Final)

YES	429	70.56%
NO	179	29.44%
Total...	608	100.00%

Prop 37 (Final)

YES	365	58.68%
NO	257	41.32%
Total...	622	100.00%

Prop 38 (Final)

YES	164	27.33%
NO	436	72.67%
Total...	600	100.00%

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07 LONG VALLEY

Prop 39		(Final)	
YES	338	56.81%	
NO	257	43.19%	
Total...	595	100.00%	

Prop 40		(Final)	
YES	436	76.36%	
NO	135	23.64%	
Total...	571	100.00%	

08 MAMMOTH MEADOW

Registration & Turnout		431	
Election Day Turnout	184	42.69%	
Vote By Mail Turnout	187	43.39%	
Total...	371	86.08%	

President and Vice President		(Final)	
DEM - BARACK OBAMA	211	57.49%	
GRN - JILL STEIN	1	0.27%	
AI - THOMAS HOEFLING	1	0.27%	
REP - MITT ROMNEY	144	39.24%	
LIB - GARY JOHNSON	10	2.72%	
PF - ROSEANNE BARR	0	0.00%	
Total...	367	0.00%	

U.S. SENATOR		(Final)	
DEM - DIANNE FEINSTEIN	192	54.24%	
REP - ELIZABETH EMKEN	162	45.76%	
Total...	354	100.00%	

US REPRESENTATIVE 8th		(Final)	
REP - GREGG IMUS	131	49.06%	
REP - PAUL COOK	136	50.94%	
Total...	267	100.00%	

STATE ASSEMBLY DISTRICT 5		(Final)	
REP - RICO OLLER	134	53.60%	
REP - FRANK BIGELOW	116	46.40%	
Total...	250	100.00%	

MAMMOTH Unified School District - GBM		(Final)	
NON - JOHN STAVLO	177	36.80%	
NON - SHANA J. STAPP	205	42.62%	
NON - LUIS VILLANUEVA	99	20.58%	
Total...	481	100.00%	

SUPERVISOR, 4th DISTRICT		(Final)	
NON - TIM FESKO	122	40.80%	
NON - BOB PETERS	177	59.20%	
Total...	299	100.00%	

Prop 30		(Final)	
YES	182	51.12%	
NO	174	48.88%	
Total...	356	100.00%	

Prop 31		(Final)	
YES	150	44.91%	

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08 MAMMOTH MEADOW

Prop 31		(Final)	
NO		184	55.09%
	Total...	334	100.00%
Prop 32		(Final)	
YES		175	49.86%
NO		176	50.14%
	Total...	351	100.00%
Prop 33		(Final)	
YES		153	43.59%
NO		198	56.41%
	Total...	351	100.00%
Prop 34		(Final)	
YES		135	38.68%
NO		214	61.32%
	Total...	349	100.00%
Prop 35		(Final)	
YES		282	81.27%
NO		65	18.73%
	Total...	347	100.00%
Prop 36		(Final)	
YES		264	75.00%
NO		88	25.00%
	Total...	352	100.00%
Prop 37		(Final)	
YES		201	56.78%
NO		153	43.22%
	Total...	354	100.00%
Prop 38		(Final)	
YES		84	24.07%
NO		265	75.93%
	Total...	349	100.00%
Prop 39		(Final)	
YES		193	55.78%
NO		153	44.22%
	Total...	346	100.00%
Prop 40		(Final)	
YES		251	76.29%
NO		78	23.71%
	Total...	329	100.00%

09 MAMMOTH MINARET

Registration & Turnout		789	
Election Day Turnout		310	39.29%
Vote By Mail Turnout		351	44.49%
	Total...	661	83.78%
President and Vice President		(Final)	
DEM - BARACK OBAMA		379	58.04%
GRN - JILL STEIN		7	1.07%
AI - THOMAS HOEFLING		1	0.15%
REP - MITT ROMNEY		254	38.90%

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09 MAMMOTH MINARET

President and Vice President		(Final)	
LIB - GARY JOHNSON	10	1.53%	
PF - ROSEANNE BARR	2	0.31%	
Total...	653	100.00%	
U.S. SENATOR		(Final)	
DEM - DIANNE FEINSTEIN	350	55.91%	
REP - ELIZABETH EMKEN	276	44.09%	
Total...	626	100.00%	
US REPRESENTATIVE 8th		(Final)	
REP - GREGG IMUS	226	48.29%	
REP - PAUL COOK	242	51.71%	
Total...	468	100.00%	
STATE ASSEMBLY DISTRICT 5		(Final)	
REP - RICO OLLER	215	49.43%	
REP - FRANK BIGELOW	220	50.57%	
Total...	435	100.00%	
MAMMOTH Unified School District - GBM		(Final)	
NON - JOHN STAVLO	319	37.27%	
NON - SHANA J. STAPP	336	39.25%	
NON - LUIS VILLANUEVA	201	23.48%	
Total...	856	100.00%	
Prop 30		(Final)	
YES	345	53.91%	
NO	295	46.09%	
Total...	640	100.00%	
Prop 31		(Final)	
YES	258	44.56%	
NO	321	55.44%	
Total...	579	100.00%	
Prop 32		(Final)	
YES	318	50.88%	
NO	307	49.12%	
Total...	625	100.00%	
Prop 33		(Final)	
YES	280	44.73%	
NO	346	55.27%	
Total...	626	100.00%	
Prop 34		(Final)	
YES	282	44.48%	
NO	352	55.52%	
Total...	634	100.00%	
Prop 35		(Final)	
YES	506	79.56%	
NO	130	20.44%	
Total...	636	100.00%	
Prop 36		(Final)	
YES	483	75.94%	
NO	153	24.06%	
Total...	636	100.00%	

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09 MAMMOTH MINARET

		(Final)	
Prop 37			
YES	386	60.69%	
NO	250	39.31%	
Total...	636	100.00%	
Prop 38			
YES	181	29.05%	
NO	442	70.95%	
Total...	623	100.00%	
Prop 39			
YES	392	62.92%	
NO	231	37.08%	
Total...	623	100.00%	
Prop 40			
YES	457	77.72%	
NO	131	22.28%	
Total...	588	100.00%	

10 MAMMOTH PINECREST

Registration & Turnout		515	
Election Day Turnout	183	35.53%	
Vote By Mail Turnout	251	48.74%	
Total...	434	84.27%	
President and Vice President		(Final)	
DEM - BARACK OBAMA	276	63.89%	
GRN - JILL STEIN	0	0.00%	
AI - THOMAS HOEFLING	1	0.23%	
REP - MITT ROMNEY	152	35.19%	
LIB - GARY JOHNSON	3	0.69%	
PF - ROSEANNE BARR	0	0.00%	
Total...	432	0.00%	
U.S. SENATOR		(Final)	
DEM - DIANNE FEINSTEIN	267	63.27%	
REP - ELIZABETH EMKEN	155	36.73%	
Total...	422	100.00%	
US REPRESENTATIVE 8th		(Final)	
REP - GREGG IMUS	136	41.85%	
REP - PAUL COOK	189	58.15%	
Total...	325	100.00%	
STATE ASSEMBLY DISTRICT 5		(Final)	
REP - RICO OLLER	145	48.33%	
REP - FRANK BIGELOW	155	51.67%	
Total...	300	100.00%	
MAMMOTH Unified School District - GBM		(Final)	
NON - JOHN STAVLO	214	36.77%	
NON - SHANA J. STAPP	250	42.96%	
NON - LUIS VILLANUEVA	118	20.27%	
Total...	582	100.00%	
Prop 30		(Final)	
YES	255	60.71%	

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10 MAMMOTH PINECREST

Prop 30		(Final)	
NO		165	39.29%
	Total...	420	100.00%
Prop 31		(Final)	
YES		153	39.03%
NO		239	60.97%
	Total...	392	100.00%
Prop 32		(Final)	
YES		194	47.32%
NO		216	52.68%
	Total...	410	100.00%
Prop 33		(Final)	
YES		172	42.16%
NO		236	57.84%
	Total...	408	100.00%
Prop 34		(Final)	
YES		198	47.71%
NO		217	52.29%
	Total...	415	100.00%
Prop 35		(Final)	
YES		323	76.72%
NO		98	23.28%
	Total...	421	100.00%
Prop 36		(Final)	
YES		312	74.29%
NO		108	25.71%
	Total...	420	100.00%
Prop 37		(Final)	
YES		243	57.72%
NO		178	42.28%
	Total...	421	100.00%
Prop 38		(Final)	
YES		119	28.88%
NO		293	71.12%
	Total...	412	100.00%
Prop 39		(Final)	
YES		265	66.08%
NO		136	33.92%
	Total...	401	100.00%
Prop 40		(Final)	
YES		314	81.35%
NO		72	18.65%
	Total...	386	100.00%

11 SWALL MEADOWS - MB

Registration & Turnout		281	
Election Day Turnout		0	0.00%
Vote By Mail Turnout		260	92.53%
	Total...	260	92.53%

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11 SWALL MEADOWS - MB

President and Vice President (Final)

DEM - BARACK OBAMA	166	64.84%
GRN - JILL STEIN	1	0.39%
AI - THOMAS HOEFLING	1	0.39%
REP - MITT ROMNEY	87	33.98%
LIB - GARY JOHNSON	1	0.39%
PF - ROSEANNE BARR	0	0.00%
Total...	256	0.00%

U.S. SENATOR (Final)

DEM - DIANNE FEINSTEIN	169	67.60%
REP - ELIZABETH EMKEN	81	32.40%
Total...	250	100.00%

US REPRESENTATIVE 8th (Final)

REP - GREGG IMUS	53	28.65%
REP - PAUL COOK	132	71.35%
Total...	185	100.00%

STATE ASSEMBLY DISTRICT 5 (Final)

REP - RICO OLLER	65	40.37%
REP - FRANK BIGELOW	96	59.63%
Total...	161	100.00%

Prop 30 (Final)

YES	160	63.49%
NO	92	36.51%
Total...	252	100.00%

Prop 31 (Final)

YES	76	32.20%
NO	160	67.80%
Total...	236	100.00%

Prop 32 (Final)

YES	105	41.34%
NO	149	58.66%
Total...	254	100.00%

Prop 33 (Final)

YES	101	40.89%
NO	146	59.11%
Total...	247	100.00%

Prop 34 (Final)

YES	133	53.85%
NO	114	46.15%
Total...	247	100.00%

Prop 35 (Final)

YES	211	85.77%
NO	35	14.23%
Total...	246	100.00%

Prop 36 (Final)

YES	196	79.03%
NO	52	20.97%
Total...	248	100.00%

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11 SWALL MEADOWS - MB

		(Final)	
Prop 37			
YES	154	60.87%	
NO	99	39.13%	
	Total...	253	100.00%
Prop 38			
YES	50	20.00%	
NO	200	80.00%	
	Total...	250	100.00%
Prop 39			
YES	169	68.15%	
NO	79	31.85%	
	Total...	248	100.00%
Prop 40			
YES	205	86.13%	
NO	33	13.87%	
	Total...	238	100.00%

12 MAMMOTH VIEW

Registration & Turnout		712	
Election Day Turnout	344	48.31%	
Vote By Mail Turnout	250	35.11%	
	Total...	594	83.43%
President and Vice President		(Final)	
DEM - BARACK OBAMA	380	64.63%	
GRN - JILL STEIN	3	0.51%	
AI - THOMAS HOEFLING	2	0.34%	
REP - MITT ROMNEY	185	31.46%	
LIB - GARY JOHNSON	16	2.72%	
PF - ROSEANNE BARR	2	0.34%	
	Total...	588	100.00%
U.S. SENATOR		(Final)	
DEM - DIANNE FEINSTEIN	362	63.96%	
REP - ELIZABETH EMKEN	204	36.04%	
	Total...	566	100.00%
US REPRESENTATIVE 8th		(Final)	
REP - GREGG IMUS	181	42.99%	
REP - PAUL COOK	240	57.01%	
	Total...	421	100.00%
STATE ASSEMBLY DISTRICT 5		(Final)	
REP - RICO OLLER	194	48.74%	
REP - FRANK BIGELOW	204	51.26%	
	Total...	398	100.00%
MAMMOTH Unified School District - GBM		(Final)	
NON - JOHN STAVLO	227	30.76%	
NON - SHANA J. STAPP	330	44.72%	
NON - LUIS VILLANUEVA	181	24.53%	
	Total...	738	100.00%
Prop 30		(Final)	
YES	366	64.55%	

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12 MAMMOTH VIEW

Prop 30		(Final)	
NO		201	35.45%
	Total...	567	100.00%
Prop 31		(Final)	
YES		237	45.49%
NO		284	54.51%
	Total...	521	100.00%
Prop 32		(Final)	
YES		259	47.09%
NO		291	52.91%
	Total...	550	100.00%
Prop 33		(Final)	
YES		261	47.28%
NO		291	52.72%
	Total...	552	100.00%
Prop 34		(Final)	
YES		245	43.83%
NO		314	56.17%
	Total...	559	100.00%
Prop 35		(Final)	
YES		476	85.15%
NO		83	14.85%
	Total...	559	100.00%
Prop 36		(Final)	
YES		428	76.70%
NO		130	23.30%
	Total...	558	100.00%
Prop 37		(Final)	
YES		382	67.49%
NO		184	32.51%
	Total...	566	100.00%
Prop 38		(Final)	
YES		195	35.20%
NO		359	64.80%
	Total...	554	100.00%
Prop 39		(Final)	
YES		359	66.11%
NO		184	33.89%
	Total...	543	100.00%
Prop 40		(Final)	
YES		380	75.55%
NO		123	24.45%
	Total...	503	100.00%

13 OLD MAMMOTH

Registration & Turnout		495	
Election Day Turnout		196	39.60%
Vote By Mail Turnout		228	46.06%
	Total...	424	85.66%

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13 OLD MAMMOTH

President and Vice President			(Final)
DEM - BARACK OBAMA	264	62.86%	
GRN - JILL STEIN	0	0.00%	
AI - THOMAS HOEFLING	0	0.00%	
REP - MITT ROMNEY	146	34.76%	
LIB - GARY JOHNSON	9	2.14%	
PF - ROSEANNE BARR	1	0.24%	
Total...	420	100.00%	

U.S. SENATOR			(Final)
DEM - DIANNE FEINSTEIN	242	61.27%	
REP - ELIZABETH EMKEN	153	38.73%	
Total...	395	100.00%	

US REPRESENTATIVE 8th			(Final)
REP - GREGG IMUS	130	42.21%	
REP - PAUL COOK	178	57.79%	
Total...	308	100.00%	

STATE ASSEMBLY DISTRICT 5			(Final)
REP - RICO OLLER	126	43.45%	
REP - FRANK BIGELOW	164	56.55%	
Total...	290	100.00%	

MAMMOTH Unified School District - GBM			(Final)
NON - JOHN STAVLO	210	36.71%	
NON - SHANA J. STAPP	241	42.13%	
NON - LUIS VILLANUEVA	121	21.15%	
Total...	572	100.00%	

Prop 30			(Final)
YES	250	60.98%	
NO	160	39.02%	
Total...	410	100.00%	

Prop 31			(Final)
YES	149	40.49%	
NO	219	59.51%	
Total...	368	100.00%	

Prop 32			(Final)
YES	186	47.33%	
NO	207	52.67%	
Total...	393	100.00%	

Prop 33			(Final)
YES	184	47.30%	
NO	205	52.70%	
Total...	389	100.00%	

Prop 34			(Final)
YES	212	53.13%	
NO	187	46.87%	
Total...	399	100.00%	

Prop 35			(Final)
YES	324	81.20%	
NO	75	18.80%	
Total...	399	100.00%	

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13 OLD MAMMOTH

Prop 36		(Final)	
YES		309	78.03%
NO		87	21.97%
	Total...	396	100.00%
Prop 37		(Final)	
YES		256	63.52%
NO		147	36.48%
	Total...	403	100.00%
Prop 38		(Final)	
YES		142	35.77%
NO		255	64.23%
	Total...	397	100.00%
Prop 39		(Final)	
YES		249	64.01%
NO		140	35.99%
	Total...	389	100.00%
Prop 40		(Final)	
YES		287	79.72%
NO		73	20.28%
	Total...	360	100.00%



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE	December 4, 2012	DEPARTMENT	Elections
ADDITIONAL DEPARTMENTS			
TIME REQUIRED		PERSONS APPEARING BEFORE THE BOARD	
SUBJECT	Mono County Resource Conservation District		

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Reappointments to the Mono County Resource Conservation District.

RECOMMENDED ACTION:

Reappoint Jim Reid and Hal Curti to the board of the Mono County Resource Conservation District.

FISCAL IMPACT:

None.

CONTACT NAME: Lynda Roberts

PHONE/EMAIL: 760-932-5538 / lroberts@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

- [Reappointments to the MCRCD](#)
- [MCRCD reappointment documentation](#)

History

Time

Who

Approval

11/28/2012 11:18 AM	County Administrative Office	Yes
11/28/2012 2:25 PM	County Counsel	Yes
11/26/2012 2:34 PM	Finance	Yes



CLERK-RECORDER-REGISTRAR COUNTY OF MONO

P.O. BOX 237, BRIDGEPORT, CALIFORNIA 93517
(760) 932-5538 • FAX (760) 932-5531

Lynda Roberts
Clerk-Recorder
lroberts@mono.ca.gov

Linda Romero
Assistant Clerk-Recorder
lromero@mono.ca.gov

To: Honorable Board of Supervisors
From: Lynda Roberts, Elections Official
Date: December 4, 2012

Subject

Reappointments to the Mono County Resource Conservation District

Recommendation

Reappoint Jim Reid and Hal Curti to the Board of the Mono County Resource Conservation District.

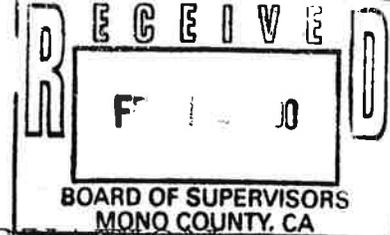
Discussion

Pursuant to Mono County RCD Resolution #R00-01, the Mono County Board of Supervisors appoints members to the Mono County RCD Board in lieu of election as authorized by California Public Resources Code §9314(b)(1).

In a letter dated October 11, 2012, the Mono County RCD requested the reappointments of Jim Reid and Hal Curti, whose terms expired at the end of November. Pursuant to Government Code §54974, the Mono County Elections Official published a Notice of Open Seats 20 days prior to the expiration of these two terms. No letters of interest were submitted by the November 21, 2012, deadline. Therefore, staff recommends the reappointments of Reid and Curti as requested by the Mono County Resource Conservation District.

Fiscal Impact

None



REVOLUTION # R00-01
MONO COUNTY RESOURCE CONSERVATION
DISTRICT

DIRECTING THE MONO COUNTY BOARD OF SUPERVISORS
AUTHORITY TO APPOINT DIRECTORS TO THE MONO COUNTY
RESOURCE CONSERVATION DISTRICT

WHEREAS, the Mono County Resource Conservation District (MCRCD) is a special District under whose focus is to protect the natural resource of the county; and

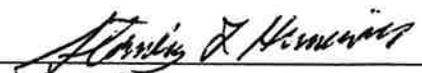
WHEREAS, the California Public Resources Code 9314(b)(1) allows the Mono County Board of Supervisors to appoint directors to the MCRCD.

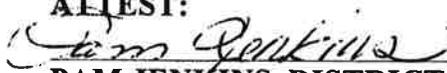
WHEREAS, the MCRCD desires the Mono County Board of Supervisors to appoint its directors in lieu of election at the request of the MCRCD

NOW, THEREFORE BE IT RESOLVED that the MCRCD requests that the Mono County Board of Supervisors appoint members to the MCRCD Board in Lieu of elections pursuant to the California Public Resources Code 9314(b)(1).

APPROVED AND ADOPTED this 10th day of February, 2000, by the following vote of said board:

AYES: 3
NOES: 0
ABSENT: 2
ABSTAIN:


STAN HUNEWILL, Chairman
MONO COUNTY RESOURCE
CONSERVATION DISTRICT

ATTEST:

PAM JENKINS, DISTRICT SECRETARY

**Resource Conservation District of
Mono County**
Post Office Box 327
Coleville, CA 96107
Phone: 530-402-6422
Web site: monorcd.org
Email: monocountyrcd@gmail.com

Clerk of the Board of Supervisors
County of Mono
Linda Romero
lromero@mono.ca.gov

RE: Reappointments to the Mono Co. RCD.

Linda,

The Mono County Resource Conservation District at its meeting held 10-10-12, directed me to inform the Mono County Board of Supervisors that both Jim Reid and Hal Curti would like to be considered for reappointment as directors to the RCD Board and by a vote of 4-0 the RCD Board has given the reappointments their endorsement.

If there are any questions I can help with, please let me know.

Respectfully,



Bruce Woodworth
District Coordinator



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE	December 4, 2012	DEPARTMENT	Clerk of the Board
ADDITIONAL DEPARTMENTS			
TIME REQUIRED		PERSONS APPEARING BEFORE THE BOARD	
SUBJECT	No Correspondence Received		

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Lynda Roberts
PHONE/EMAIL: 760-932-5538 / lroberts@mono.ca.gov

<p>SUBMIT THE ORIGINAL DOCUMENT WITH ATTACHMENTS TO THE OFFICE OF THE COUNTY ADMINISTRATOR PRIOR TO 5:00 P.M. ON THE FRIDAY 32 DAYS PRECEDING THE BOARD MEETING</p>	<p>SEND COPIES TO:</p>
---	-------------------------------

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)
No Attachments Available

History

Time	Who	Approval
11/27/2012 1:42 PM	Clerk of the Board	Yes



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE	December 4, 2012	DEPARTMENT	Sheriff Coroner
ADDITIONAL DEPARTMENTS			
TIME REQUIRED	15 minutes	PERSONS APPEARING BEFORE THE BOARD	Sheriff Richard C. Scholl
SUBJECT	Appointment to Fill the Unexpired Term of Sheriff-Coroner Richard Scholl		

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Sheriff Richard C. Scholl has decided to retire from his elected position as Sheriff-Coroner of Mono County effective December 20, 2012. The unexpired term continues until December 2014. It is imperative that the County have a person in place as the Sheriff-Coroner to perform all mandated functions and responsibilities as required in the Government Code.

RECOMMENDED ACTION:

Recommend that the Board of Supervisors discuss and make recommendations to fulfill the remaining unexpired term of Sheriff-Coroner upon the current Sheriff's retirement to be effective at 5:00 p.m. on December 20, 2012.

FISCAL IMPACT:

There is no increase or decrease to the current budget for the position of Sheriff-Coroner; however, there could be savings realized with the realignment of the management positions within the Sheriff's Office. Actual costs savings are unknown at this time.

CONTACT NAME: Jennifer Hansen

PHONE/EMAIL: (760) 932-5279 / jhansen@monosheriff.org

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)

History

Time	Who	Approval
11/14/2012 3:03 PM	County Administrative Office	Yes
11/28/2012 2:29 PM	County Counsel	Yes
11/15/2012 12:22 PM	Finance	Yes



P.O. Box 616 / 100 BRYANT STREET • BRIDGEPORT, CA 93517 • (760) 932-7549 / FAX (760) 932-7435

Richard C. Scholl
Sheriff/Coroner

MONO COUNTY SHERIFF'S OFFICE

Ralph Obenberger
Undersheriff

DATE: December 11, 2012
TO: Honorable Chair and Members of the Board of Supervisors
FROM: Richard C. Scholl, Sheriff-Coroner
SUBJECT: Appointment to fulfill the unexpired term of Sheriff-Coroner Richard Scholl

RECOMMENDATION:

Recommend that the Board of Supervisors appoint Undersheriff Ralph Obenberger to fulfill the remaining unexpired term of Sheriff-Coroner upon the current Sheriff's retirement to be effective at 5:00 p.m. on December 20, 2012.

DISCUSSION:

As you are aware, I have decided to retire from my elected position as the Sheriff-Coroner of Mono County effective December 20, 2012. The unexpired term continues until December 2014. It is imperative that the County have a person in place as the Sheriff-Coroner to perform all mandated functions and responsibilities as required in the Government Code.

Ralph Obenberger has been the Undersheriff for Mono County since December 29, 2007. He has held the trust to run the operations of the Sheriff's Office since that time and remains actively involved in all aspects of the Sheriff's Office. Undersheriff Obenberger has been the Chief Deputy Coroner, and is currently the Jail Administrator along with many other duties and assignments. Undersheriff Obenberger knows all facets of the Sheriff's Office and will be responsive to the needs of the employees and accountable and responsive to the needs of the communities we serve.

I have full faith and confidence in the abilities of Ralph Obenberger and this appointment will provide a continuity of leadership in the Sheriff's Office.

FISCAL IMPACT:

There is no increase or decrease to the current budget for the position of Sheriff-Coroner; however, there could be savings realized with the realignment of the management positions within the Sheriff's Office. Actual costs savings are unknown at this time.

Respectfully submitted,
RICHARD C. SCHOLL
Sheriff-Coroner
County of Mono



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE	December 4, 2012	DEPARTMENT	County Counsel
ADDITIONAL DEPARTMENTS			
TIME REQUIRED	10 minutes	PERSONS APPEARING BEFORE THE BOARD	Marshall Rudolph
SUBJECT	Ordinance re Public Use of Conway Ranch		

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Proposed ordinance amending sections 13.40.010 and 13.40.020 of the Mono County Code, pertaining to public use of Conway Ranch.

RECOMMENDED ACTION:

Introduce, read title, and waive further reading of proposed ordinance. Provide any desired direction to staff.

FISCAL IMPACT:

None.

CONTACT NAME: Marshall Rudolph

PHONE/EMAIL: (760) 924-1707 / mrudolph@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

- [Conway ordinance staff report](#)
- [RPAC resolution](#)
- [Conway map](#)
- [ordinance amending MCC re public use](#)

History

Time	Who	Approval
11/28/2012 12:17 PM	County Administrative Office	Yes
11/28/2012 1:00 PM	County Counsel	Yes
11/27/2012 4:44 PM	Finance	Yes

County Counsel
Marshall Rudolph

Assistant County Counsel
Stacey Simon

Deputy County Counsels
Tara McKenzie
John-Carl Vallejo

**OFFICE OF THE
COUNTY COUNSEL**

Mono County
South County Offices
P.O. BOX 2415

MAMMOTH LAKES, CALIFORNIA 93546

Telephone
760-924-1700
Facsimile
760-924-1701

Legal Assistant
Michelle Robinson

TO: Board of Supervisors

FROM: Marshall Rudolph

DATE: September 18, 2012

RE: Proposed ordinance amending sections 13.40.010 and 13.40.020 of the
Mono County Code, pertaining to public use of Conway Ranch

Recommendation:

Introduce, read title, and waive further reading of proposed ordinance.

Fiscal/Mandates Impact:

None.

Discussion:

The proposed ordinance would effectuate certain amendments to Chapter 13.40 of the Mono County Code consistent with recommendations by the Mono Basin RPAC and as subsequently directed by the Board. A copy of the RPAC resolution describing the recommendations is enclosed.

Perhaps the most significant amendment involves the issue of shooting firearms on the property. Chapter 13.40 currently prohibits all firearm shooting on the entire Conway Ranch property. The amendment would instead prohibit such shooting only within the licensed fish-rearing and fishing area (as defined) and within a 150-yard buffer zone around the north, northeastern, and western boundaries of that licensed area. Southern and eastern boundaries of the licensed area are not restricted because they are not within the Conway Ranch property. A map depicting the buffer zone and the licensed area is enclosed. Note: although not included in the RPAC's resolution, the ordinance would also amend the description of the licensed area to more accurately describe it, including adding a "notch" at the northeast corner to encompass one of the fishing

ponds – a detail raised at a Fisheries Commission meeting. The legal descriptions for the licensed area and buffer zone were prepared by Public Works staff, who I wish to acknowledge and thank for the considerable time and effort they spent.

Other amendments include eliminating the current restriction on night-time use of the property (outside of the licensed area), eliminating the current restriction on use of snowmobiles on the property, and providing that permitted vehicles may travel on any “existing” roads and paths whereas the current provision only allows travel on “designated” roads and paths.

For good measure, the RPAC’s proposed amendments were taken to the Fisheries Commission for its input. The Commission did not support allowing use of all types of firearms outside of the buffer zone; rather, the Commission felt that such shooting should be limited to shotguns only. The Commission was generally supportive of the other amendments.

If you have any questions regarding the ordinance, please feel free to contact me at (760) 924-1707.

Encl.

MONO BASIN

REGIONAL PLANNING ADVISORY COMMITTEE

P.O. Box 347, Mammoth Lakes, CA 93546

Official Resolution

Recommended revisions to Chapter 13.40, Section 13.40.020 in the Mono County Code
Mono Basin Regional Planning Advisory Committee
June 13, 2012

Whereas the Mono County Board of Supervisors passed Ordinance No. ORD11-05 titled "An Ordinance of the Mono County Board of Supervisors Adopting Chapter 13.40 of the Mono County Code Pertaining to Public Use of Conway Ranch"; and,

Whereas members of the Mono Basin Community have traditionally used Conway Ranch for hunting and other recreational pursuits; and,

Whereas the Mono Basin community wishes to maintain public access and hunting on certain sections of Mono County's Conway Ranch; and,

Whereas Supervisor Tim Hansen and members of the Mono Basin community have met to propose a compromise and solution that would satisfy the wishes of the Mono Basin Community; and,

Whereas the compromise was outlined and discussed at the last few Mono Basin Regional Planning and Advisory Committee (RPAC) meetings; and,

Now, therefore, be it resolved that the Mono Basin Regional Planning and Advisory Committee recommends the following revisions in Chapter 13.40, Section 13.40.020, in the Mono County Code, Public Use of Conway Ranch:

1. (no change)
2. Delete this entire paragraph.
3. (no change)
4. Revise as follows:
"Shooting, firing, or otherwise discharging a firearm, including but not limited to hunting and target practice, within the licensed fish rearing and fishing area. Shooting, firing, or otherwise discharging a firearm is also prohibited within a 150 yard buffer zone around the boundaries of this licensed area."
5. (no change)
6. (no change)
7. (no change)
8. Revise as follows:

“Driving or riding a vehicle, including bicycles, except on existing roads and parking areas. This prohibition does not apply to over-the-snow vehicles.”

Be it further resolved that the Mono Basin community recognizes that a 150 yard no-shooting boundary around the fish-rearing facilities is the minimum, legal and necessary boundary, and that County staff will assist with the specifics of how and where the 150 yard boundary is recognized.

Passed on this 13th day of June, 2012 by the following vote:

AYES: 9 NOES: 0 ABSTAIN: 0



Bartshé Miller

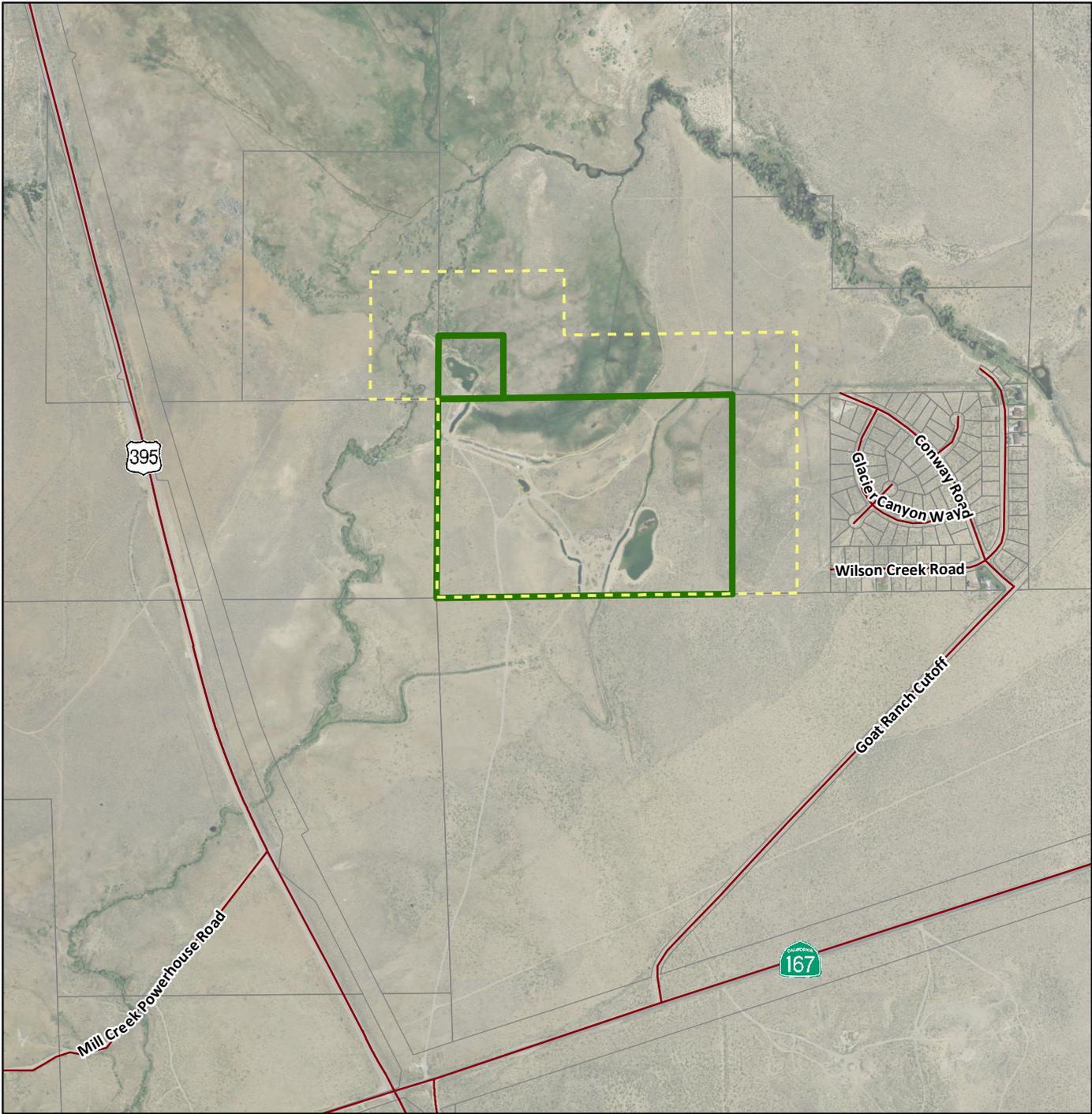
Chairman, Mono Basin Regional Planning Committee

Fish-Rearing and Fishing Site Alt. 2

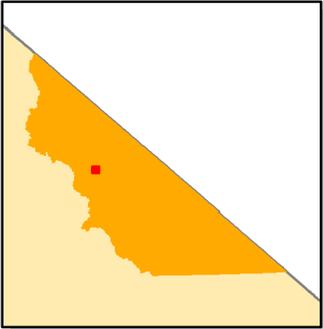
Conway Ranch

-  Fish-Rearing and Fishing Areas
-  No Shooting Boundary
-  Streets
-  Base Parcels

Note:
The no shooting boundary is based on a 150 yard buffer surrounding the licensed fish-rearing and fishing area described as: " the southwest quarter of the southwest quarter; along with the west half of the southeast quarter of the southwest quarter of Section 6, Township 2 North, Range 26 East, MDM" as per Section 13.40.010, subdivision D, of the Mono County Code, except that the western and southern boundaries of the licensed fish-rearing and fishing area and the no shooting boundary are coincident.



Mono County GIS
PO Box 7657
Mammoth Lakes, CA 93546
(760) 924-1819
gis.mono.ca.gov



The information contained on this map is for reference purposes only and is in no way intended to serve as a legal description of property or other boundaries. The information on this map is subject to change without notice. This map is not to be reproduced or re-used without the prior permission of Mono County.

Map created by: wlehmann on 11/9/2012
G:\Projects\Mono\Agencywide Projects\IAG\IAGNoShootingArea2.mxd



ORDINANCE NO. ORD12-___

AN ORDINANCE OF THE MONO COUNTY BOARD OF SUPERVISORS AMENDING SECTIONS 13.40.010 AND 13.40.020 OF THE MONO COUNTY CODE, PERTAINING TO PUBLIC USE OF CONWAY RANCH

WHEREAS, Ordinance No. ORD11-05 established certain regulations regarding public use of certain real property owned by the County and known generally as Conway ranch, which are codified as Chapter 13.40 of the Mono County Code; and

WHEREAS, based on recommendations of the Mono Basin Regional Planning Advisory Committee and other interested parties, the Board wishes to revise some of those regulations;

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO ORDAINS as follows:

SECTION ONE: Subdivision (D) of Section 13.40.010 of the Mono County Code is amended to read as follows:

“D. “Licensed fish-rearing and fishing area” means that portion of Conway Ranch devoted primarily to the rearing of fish by the County or its authorized agents, employees, contractors, lessees, or licensees, including certain ponds and modified irrigation ditches (raceways), and where the County has also authorized a licensee or other party to engage in certain fishing activities as a form of nonprofit fundraising to benefit the Conway Ranch. The licensed fish-rearing and fishing area is also described as the southwest quarter of the southwest quarter; and the western half of the southeast quarter of the southwest quarter; and the southwest quarter of the southwest quarter of the northwest quarter of the southwest quarter; all in Section 6, Township 2 North, Range 26 East, M.D.B.&M., in the County of Mono, State of California, according to the official plat thereof.”

SECTION TWO: Subdivision (F) of Section 13.40.010 of the Mono County Code is amended to read as follows:

“F. ‘Vehicle’ means a device in, upon or by which, any person or property is or may be propelled, moved, or drawn, including but not limited to an automobile, all terrain vehicle, motorcycle, or bicycle.”

SECTION THREE: Subdivision (G) is hereby added to Section 13.40.010 of the Mono County Code to read as follows:

“G. ‘150-yard buffer zone’ means that portion of Conway Ranch extending 150 yards to the north, northeastern, and western boundaries of the licensed fish-rearing and fishing area. The 150-yard buffer zone is also described as and comprised of the following two areas of Conway Ranch: (1) a buffer area of 150 yards wide being the westerly 450 feet of the east half of the southeast quarter of the northeast quarter of the southeast quarter of Section 1, Township 2 North, Range 25 East, M.D.B.&M., in the County of

1 Mono, State of California, according to the official plat thereof; and (2) a
2 buffer area of 150 yards being the northerly 450 feet of the north half of
3 the southwest quarter of the northeast quarter of the southeast quarter;
4 along with a buffer area of 150 yards being the westerly and southerly 450
5 feet of the southeast quarter of the southwest quarter of the northwest
6 quarter of the southwest quarter; along with a buffer area of 150 yards
7 being the southerly 450 feet of the south half of the southeast quarter of
8 the northwest quarter of the southwest quarter; along with a buffer area of
9 150 yards wide being the southerly 450 feet of the south half of the
10 southwest quarter of the northeast quarter of the southwest quarter; along
11 with a buffer area of 150 yards being the westerly and southerly 450 feet
12 of the southwest quarter of the southeast quarter of the northeast quarter
13 of the southwest quarter; along with a buffer area of 150 yards being the
14 westerly 450 feet of the western half of the southeast quarter of the
15 southwest quarter all in Section 6, Township 2 North, Range 26 East,
16 M.D.B.&M., in the County of Mono, State of California, according to the
17 official plat thereof.”

18 **SECTION FOUR:** Subdivision (A) of Section 13.40.020 of the Mono County Code
19 is amended to read as follows:

20 “A. Except as set forth below in subdivision (B), the following activities are
21 unlawful and prohibited on Conway Ranch:

22 1. Entering or occupying the licensed fish-rearing and fishing area
23 without the express permission of the County or its authorized agents,
24 employees, contractors, lessees, or licensees.

25 2. Creating or using a campfire or any other fire.

26 3. Shooting, firing, or otherwise discharging a firearm, including but
27 not limited to hunting and target practice, within the licensed fish-rearing
28 and fishing area. Shooting, firing, or otherwise discharging a firearm is
also prohibited within a 150-yard buffer zone, defined above, around the
north, northeastern, and western boundaries of this licensed area.

4. Removing any form of real or personal property, including but not
limited to buildings and fixtures or any portions thereof, fences, wood,
plants, or artifacts of any kind.

5. Defacing or otherwise damaging any real or personal property,
including but not limited to buildings and fixtures.

6. Taunting, vexing, or intentionally worrying any sheep, fish, or
other agricultural animals.

7. Driving or riding a vehicle, as defined (including bicycles), except
on existing roads and parking areas. This prohibition does not apply to
over-the-snow vehicles.”

SECTION FIVE: This ordinance shall become effective 30 days from the date of
its adoption and final passage, which appears immediately below. The Clerk of the

1 Board of Supervisors shall post this ordinance and also publish the ordinance or a
2 summary thereof in the manner prescribed by Government Code section 25124 no later
3 than 15 days after the date of this ordinance's adoption and final passage. If the Clerk
4 fails to so publish this ordinance or a summary thereof within said 15 day-period, then
5 the ordinance shall not take effect until 30 days after the date of publication.

6 **PASSED, APPROVED and ADOPTED** this ___ day of _____, 2012, by the
7 following vote, to wit:

8 AYES:
9 NOES:
10 ABSENT:
11 ABSTAIN:
12 VACANT:

13 _____
14 VIKKI BAUER, Chair
15 Mono County Board of Supervisors

16 ATTEST:

17 APPROVED AS TO FORM:

18 _____
19 Clerk of the Board

20 _____
21 COUNTY COUNSEL

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**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE	December 4, 2012	DEPARTMENT	Information Technology
ADDITIONAL DEPARTMENTS	County Counsel		
TIME REQUIRED	15 minutes	PERSONS APPEARING BEFORE THE BOARD	Nate Greenberg and Marshall Rudolph
SUBJECT	Amendment to California Broadband Cooperative License Agreement		

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Proposed resolution approving a first amendment to the license agreement with California Broadband Cooperative, Inc. for use of County land for node sites, community service cabinets, and anchor sites, and for use of County rights of way for underground fiber optic transmission lines.

RECOMMENDED ACTION:

Adopt proposed Resolution R12-___, approving a first amendment to the license agreement with California Broadband Cooperative, Inc. for use of County land for node sites, community service cabinets, and anchor sites, and for use of County rights of way for underground fiber optic transmission lines.

FISCAL IMPACT:

None.

LUNCH

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD on items of public interest that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

CONTACT NAME: Nate Greenberg

PHONE/EMAIL: (760) 924-1819 / ngreenberg@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH ATTACHMENTS TO THE OFFICE OF THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

- [D395 amendment staff report](#)
 - [resolution re D395 amendment](#)
 - [Agreement Amendment pt 1](#)
 - [Agreement Amendment pt 2](#)
 - [Agreement Amendment pt 3](#)
-

History

Time	Who	Approval
11/20/2012 6:04 PM	County Administrative Office	Yes
11/28/2012 2:16 PM	County Counsel	Yes
11/27/2012 3:38 PM	Finance	Yes

County Counsel
Marshall Rudolph

Assistant County Counsel
Stacey Simon

Deputy County Counsels
Tara McKenzie
John-Carl Vallejo

**OFFICE OF THE
COUNTY COUNSEL**

Mono County
South County Offices
P.O. BOX 2415

MAMMOTH LAKES, CALIFORNIA 93546

Telephone
760-924-1700
Facsimile
760-924-1701

Legal Assistant
Michelle Robinson

TO: Board of Supervisors

FROM: Marshall Rudolph

DATE: December 4, 2012

RE: Proposed resolution approving a first amendment to the license agreement with California Broadband Cooperative, Inc. for use of County land for node sites, community service cabinets, and anchor sites, and for use of County rights of way for underground fiber optic transmission lines

Recommendation:

Adopt proposed resolution.

Fiscal/Mandates Impact:

None.

Discussion:

As you know, the Board previously approved a license agreement between the County and California Broadband Cooperative, Inc. for use of certain County property in connection with and support of the Digital 395 project. The proposed resolution would authorize a first amendment to that agreement. The amendment covers the addition of specifics pertaining to County anchor sites, and construction of the 'Distribution' portion of the route which connects the anchors to the backbone. The amendment has been reviewed as to technical details by Nate Greenberg, Digital 395 Project Manager, and as to legal details and form by County Counsel. The resolution and amendment are fairly self-explanatory. But staff will be present at the Board meeting to further explain the amendment, if the Board wishes, and to respond to any questions the Board may have.

If you have any questions in the meantime, please feel free to contact Nate Greenberg at (760) 924-1819 or Marshall Rudolph at (760) 924-1707.

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NOES :
ABSTAIN :
ABSENT :

ATTEST: _____
Clerk of the Board

VIKKI BAUER, Chair
Board of Supervisors

APPROVED AS TO FORM:

COUNTY COUNSEL

FIRST AMENDMENT TO THE LICENSE AGREEMENT FOR USE OF COUNTY LAND FOR NODE SITES, COMMUNITY SERVICE CABINET SITES, ANCHOR SITES, AND FOR USE OF COUNTY RIGHTS OF WAY FOR UNDERGROUND FIBER OPTIC TRANSMISSION LINES

THIS FIRST AMENDMENT TO THE LICENSE AGREEMENT FOR USE OF COUNTY LAND FOR NODE SITES, COMMUNITY SERVICE CABINET SITES, ANCHOR SITES, AND FOR USE OF COUNTY RIGHTS OF WAY FOR UNDERGROUND FIBER OPTIC TRANSMISSION LINES (the "First Amendment") is made and entered into this 4th day of December, 2012 by and between the Mono County ("County") and California Broadband Cooperative, Inc. ("Licensee"). County and Licensee agree as follows:

RECITALS

A. County and Licensee entered into that certain LICENSE AGREEMENT FOR USE OF COUNTY LAND FOR NODE SITES, COMMUNITY SERVICE CABINET SITES, ANCHOR SITES, AND FOR USE OF COUNTY RIGHTS OF WAY FOR UNDERGROUND FIBER OPTIC TRANSMISSION LINES (the "Agreement") referenced above on November 15, 2011 wherein County licensed to Licensee the use of certain real property for the installation of fiber optic transmission lines, Node Sites, Community Service Cabinet Sites ("CSC Sites") and Community Anchor Institutions (the "Anchors"). The licensed properties are part of Licensee's Digital 395 broadband communications network (the "Project").

B. At the time the Agreement was executed, Licensee had not yet completed its engineering design of its distribution network of fiber optic transmission cables (the "Distribution Transmission Corridors") that would connect the Project's main backbone fiber optic transmission cables to the Anchors. The parties agreed that Licensee would submit its design of the Distribution Transmission Line Corridors to County for County's approval once Licensee had completed its design work.

C. At the time the Agreement was executed, the parties agreed that Licensee would have the right to connect its fiber optic network to those Anchors in the County that had been approved by the National Telecommunications and Information Administration ("NTIA") under the Grant Funding. The parties understood and agreed that such list of Anchors would be updated as the development of the Project progressed for various reasons (some buildings may not need or want broadband communications, some new Anchors will be added, etc.).

FIRST AMENDMENT TO THE AGREEMENT

1. All capitalized terms in the First Amendment shall have the same definition as set forth in the Agreement.

2. Exhibit D to the Agreement is hereby replaced with the Revised Exhibit D attached to this First Amendment. The Revised Exhibit D provides the updated list of Anchors and lists all anchors that Licensee intends to connect to the Project in Mono County, regardless of whether they are situated on County-owned property. Exhibit E to the Agreement is hereby replaced with the Revised Exhibit E attached hereto. The Revised Exhibit E includes the Site Maps of the Anchors that are on County property or are a County facility located on property of a third party. These Maps show the route Licensee shall use to bring its fiber optic transmission cables to the buildings on each such Anchor Site. For each Anchor that is on County-owned property, County hereby approves the route of the fiber optic transmission cable

shown on the applicable Site Map. County hereby grants a non-exclusive license to Licensee, and Licensee accepts the license from County to utilize such route to the Anchor for installation and operation of fiber optic transmission cable to serve the Anchor situated on County owned property. For the Anchors depicted in Revised Exhibit E that are County facilities on land owned by a third party, County agrees that it desires to have such facility connected to the Project, subject to Licensee obtaining access over the property and into the building occupied by the County. In addition, Licensee shall obtain the approval of the property owner to install its fiber optic transmission cable across the property and into the building of any Anchor listed on Revised Exhibit D that is not situated on County owned property.

3. Exhibit F-1 is hereby added to the Agreement. Such Exhibit describes the Distribution Transmission Line Corridors within County Rights of Way. Exhibit G-1 is hereby added to the Agreement. Such exhibit includes the Site Maps showing the Distribution Transmission Line Corridor on each County right of Way listed in Exhibit F-1. The County rights of Way are depicted in yellow on the maps included in this Exhibit. County hereby grants a non-exclusive license to Licensee, and Licensee accepts the license from County for such Distribution Transmission Line Corridors, 24/7, for underground fiber optic transmission line corridors within the Rights of Way connecting to the Anchor Sites.

4. All licenses granted by this First Amendment are provided on and subject to the same terms and conditions applicable to other non-exclusive licenses granted by the Agreement, including but not limited to the terms and conditions set forth in Sections 3 (Anchor Sites), 4 (Underground Fiber Optic Transmission Lines), 9 (Purpose), and 11 (Condition and Title) of the Agreement.

5. This First Amendment to the Agreement shall be effective as of December 4, 2012.

6. The Agreement shall remain in full force and effect between the parties, except as amended herein.

7. This First Amendment to the Agreement may be executed in counterparts, all of which, taken together, shall be deemed an original.

IN WITNESS WHEREOF, this First Amendment to the Agreement has been duly approved by County and Licensee.

Licensor:

Mono County

By: Vikki Bauer, Chair
Board of Supervisors

Date: _____

Approved as to form:

By: Marshall Rudolph
County Counsel

Date: _____

Licensee:
California Broadband Cooperative, Inc.

By: Robert W. Volker
Its: Chief Executive Officer

Date: _____

Revised Exhibit “D”

General Description of Anchor Sites in Mono County

Anchor No.	Anchor Description	Property Owner	Address	Original Filed Facility Type
1	Antelope Elementary School	Eastern Sierra Unified School Dist.	111527 Highway 395 Coleville	School (k-12)
2	Sierra Early Intervention	Mono County Office of Education	111527 Highway 395 Coleville	Other Community Support Organization
3	Coleville High School	Eastern Sierra Unified School Dist.	111591 Highway 395 Coleville	School (k-12)
4	Coleville Library	Mono County Office of Education	111591 Highway 395 Coleville	Library
5	Walker River High School	Eastern Sierra Unified School Dist.	111591 Highway 395 Coleville	School (k-12)
6	Antelope Valley Fire Dept.	Antelope Valley Fire Protection District	1166 Larson Rd Coleville	Public Safety Entity
7	CA Dept. Food & Ag. Inspection Station	State of California	120117 Highway 395 Topaz	Other Government Facility
8	BLM/U.S. Forest Service - Topaz Station	BLM	117039 HWY 395 Topaz	Other Government Facility
9	USMC - Mountain Warfare Training Center	US Dept. of the Navy	Highway 108 Pickle Meadow	Other Government Facility
10	Antelope Valley Fire Protection District	Antelope Valley Fire Protection District	51 Shop Road Walker	Public Safety Entity
11	Medic 1 Paramedic Station	Mono County	466 Mule Deer Road Walker	Public Safety Entity
12	Mono County Paramedic	Mono County	466 Mule Deer Road Walker	Public Safety Entity
13	Mono County Road Shop	Mono County	62 Shop Road Walker	Other Government Facility
14	Career Services Center	Mono County	107384 S HWY 395 Walker	Other Government Facility
15	Walker Wellness Center	Mono County	107655 HWY 395 Walker	Medical or Healthcare Provider
16	Walker Community Center	Mono County	442 Mule Deer Rd Walker	Other Community Support Organization
17	Antelope Valley Senior Center	Mono County	399 Mule Deer Rd. Walker	Other Community Support Organization
18	Mono County Sheriff's Office	Mono County	100 Bryant St. Bridgeport	Public Safety Entity
19	Mono County Courthouse	Mono County	100 Main St. Bridgeport	Other Government Facility
20	California Highway Patrol Office	State of California	125 Main St. Bridgeport	Public Safety Entity
21	Medic 7 Paramedic Station	Mono County	193 Twin Lakes Rd. Bridgeport	Public Safety Entity
22	Bridgeport Elementary School	Eastern Sierra Unified School District	209 Kingsley St. Bridgeport	School (k-12)

23	Eastern Sierra Academy	Eastern Sierra Unified School District	231 Kingsley St. Bridgeport	School (k-12)
24	Eastern Sierra Unified School District	Eastern Sierra Unified School District	231 Kingsley St. Bridgeport	Other Government Facility
25	Annex I	Mono County	25 Bryant St. Bridgeport	Other Government Facility
26	Mono County Jail	Mono County	25 Emigrant St. Bridgeport	Public Safety Entity
27	Mono County Office of Education	Mono County Office of Education	37 Emigrant St. Bridgeport	Other Government Facility
28	Sawtooth Ridge Community Day School	Mono County Office of Education	46 S. Sinclair St. Bridgeport	School (k-12)
29	Mono County Dept. of Public Works	Mono County	47 N School St. Bridgeport	Other Government Facility
30	Annex II	Mono County	25 Bryant St. Bridgeport	Other Government Facility
31	Bridgeport Library	Mono County Office of Education	94 North School St. Bridgeport	Library
32	Caltrans Mtce Station - Sonora Pass	California Dept. of Transportation	Highway 395 Bridgeport	Other Government Facility
33	Bridgeport Ranger Station	US Forest Service	HWY 395 Bridgeport	Other Government Facility
34	Bridgeport Fire Dept.	Bridgeport Fire Protection District	309 Main St. Bridgeport	Public Safety Entity
35	Bridgeport Hospital Complex	Mono County	221 Twin Lakes Rd. Bridgeport	Medical or Healthcare Provider
36	Bridgeport Animal Shelter	Mono County	197 Jack Sawyer Rd. Bridgeport	Other Government Facility
37	Bridgeport Memorial Hall	Mono County	100 Sinclair St. Bridgeport	Other Government Facility
38	Bridgeport Senior Center	Mono County	123 Emigrant St. Bridgeport	Other Government Facility
39	Public Works Parks & Rec Facility	Mono County	201 Jack Sawyer Rd. Bridgeport	Other Government Facility
40	Mono County Airport - Bryant Field	Mono County	76 Stock Dr. Bridgeport	Other Community Support Organization
41	County Maintenance Yard	Mono County	207 Jack Sawyer Road Bridgeport	Other Government Facility
42	Mono County Social Services	Mono County	85 Emigrant St. Bridgeport	Other Government Facility
43	Mono County Museum	Mono County	129 Emigrant Street Bridgeport	Other Community Support Organization
44	Probation Office	Mono County	57 Bryant St. Bridgeport	Other Government Facility
45	Bridgeport Paiute Indian Colony-Tribal Office	Bridgeport Paiute Indian Colony	355 Sagebrush Dr. Bridgeport	Other Government Facility
46	Caltrans Office	California Dept. of Transportation	315 Jack Sawyer Rd. Bridgeport	Other Government Facility
47	Lee Vining Elementary School	Eastern Sierra Unified School District	132 Lee Vining Ave. Lee Vining	School (k-12)

48	Lee Vining Community Day School	Eastern Sierra Unified School District	51710 Highway 395 Lee Vining	School (k-12)
49	Lee Vining Library	Mono County Office of Education	51710 Highway 395 Lee Vining	Library
50	Lee Vining High School	Eastern Sierra Unified School District	51710 Highway 395 Lee Vining	School (k-12)
51	Lee Vining Fire Dept.	Lee Vining Fire Protection District	55 Mattly Ave. Lee Vining	Public Safety Entity
52	Lee Vining Caltrans Mtce Yard	California Dept. of Transportation	51548 Highway 395 Lee Vining	Other Government Facility
53	Lee Vining Community Center	Mono County	296 Mattly Ave. Lee Vining	Other Community Support Organization
54	County Maintenance Yard	Mono County	51596 Highway 395 Lee Vining	Other Government Facility
55	Forest Service Tower	Us Forest Service	Utility Rd. Lee Vining	Other Government Facility
56	Visitor's Center	US Forest Service	51365 HWY 395 Lee Vining	Other Government Facility
57	Mono Basin Scenic Area Visitor Center	US Forest Service	1 Visitor Way Lee Vining	Other Government Facility
58	Lee Vining Ranger Station	US Forest Service	Hwy 120 West Lee Vining	Other Government Facility
59	Medic 2 Paramedic Station/Fire Department	Mono County	2380 Highway 158 June Lake	Public Safety Entity
60	June Lake Community Center	Mono County	90 W. Granite Ave. June Lake	Other Community Support Organization
61	June Lake Library	Mono County Office of Education	90 W. Granite Ave. June Lake	Library
62	June Lake Sub-Station	Mono County	90 W. Granite Ave June Lake	Public Safety Entity
63	Crestview Caltrans Mtce Yard	California Dept. of Transportation	Hwy 395 Crestview	Other Government Facility
64	Crestview Guard Station	US Forest Service	US Forest Crestview	Other Government Facility
65	Gull Lake Guard Station	US Forest Service	US Forest Gull Lake	Other Government Facility
66	Caltrans - Rest Area	California Dept. of Transportation	US 395 - 6.4 miles north of Jct. SR 203	Other Government Facility
67	Caltrans - Rest Area	California Dept. of Transportation	US 395 - 48 miles north of Bishop	Other Government Facility
68	Cerro Coso Community College-Mammoth Campus	Cerro Coso Community College District	101 College Parkway Mammoth Lakes	Community College
69	Mammoth Community Water District	Mammoth Community Water District	1315 Meridian Blvd. Mammoth Lakes	Other Government Facility
70	Mammoth Airport	Town of Mammoth Lakes	1334 Airport Rd. Mammoth Lakes	Other Community Support Organization
71	Mammoth Elementary School	Mono County Office of Education	1500 Meridian Blvd. Mammoth Lakes	School (k-12)
72	Mammoth Middle School	Mono County Office of Education	1600 Meridian Blvd. Mammoth Lakes	School (k-12)
73	Welcome Center/Visitor Center	US Forest Service	2510 Main St. Mammoth Lakes	Other Government Facility

74	Tourism Offices/Ranger Station/Auditorium	US Forest Service	2520 Main St. Mammoth Lakes	Other Government Facility
75	Town Maintenance Yard	Town of Mammoth Lakes	299 Commerce Dr. Mammoth Lakes	Other Government Facility
76	Medic 3 Paramedic Station	Mono County	3150 Main St. Mammoth Lakes	Public Safety Entity
77	First 5 Mono County	Mammoth Unified School District	365 Sierra Park Rd. Mammoth Lakes	Other Government Facility
78	Mammoth High School	Mammoth Unified School District	365 Sierra Park Rd. Mammoth Lakes	School (k-12)
80	Mammoth Lakes Library	Mono County Office of Education	400 Sierra Park Dr. Mammoth Lakes	Library
81	Mammoth Unified District Office	Mono County Office of Education	400 Sierra Park Rd. Mammoth Lakes	Other Government Facility
82	Minaret Government Complex	Mono County	437 Old Mammoth Rd. Mammoth Lakes	Other Government Facility
83	Jan Work Community School	Mono County Office of Education District	451 Sierra Park Rd. Mammoth Lakes	School (k-12)
84	Mammoth Community Day School	Mono County Office of Education District	451 Sierra Park Rd. Mammoth Lakes	School (k-12)
85	Mono County Adult School	Mammoth Unified School District	451 Sierra Park Rd. Mammoth Lakes	School (k-12)
86	Mono County Office of Education	Mono County Office of Education District	451 Sierra Park Rd. Mammoth Lakes	Other Government Facility
87	Mono County Opportunity School	Mono County Office of Education District	451 Sierra Park Rd. Mammoth Lakes	School (k-12)
88	County Paramedic Fire Rescue Admin. Offices	Mono County	452 Old Mammoth Rd. Mammoth Lakes	Other Government Facility
89	Sierra Government Complex	Mono County	452 Old Mammoth Rd. Mammoth Lakes	Other Government Facility
90	Police Station	Town of Mammoth Lakes	568 Old Mammoth Rd. Mammoth Lakes	Public Safety Entity
91	Mammoth Hospital	Southern Mono Healthcare District	85 Sierra Park Rd. Mammoth Lakes	Medical or Healthcare Provider
92	Mono County Courthouse	State of California	100 Thompsons Way Mammoth Lakes	Other Government Facility
93	Fish Hatchery	Department of Fish and Game	121 Hot Creek Hatchery Road Mammoth Lakes	Other Government Facility
94	Mammoth Fire Station #1	Town of Mammoth Lakes	3150 N. Main Street Mammoth Lakes	Public Safety Entity
95	Mammoth Fire Station #2	Town of Mammoth Lakes	1574 Old Mammoth Rd. Mammoth Lakes	Public Safety Entity
96	Mono County Early Start	Mono County Office of Education District	960 Forest Trail Mammoth Lakes	School (k-12)
97	Groundwater Treatment Plant #1	Mammoth Community Water District	1788 Old Mammoth Rd. Mammoth Lakes	Other Government Facility
98	Groundwater Treatment Plant #2	Mammoth Community Water District	3248 Meridian Blvd. Mammoth Lakes	Other Government Facility
99	Mammoth Lakes Foundation	Mammoth Lakes Foundation	100 College Parkway Mammoth Lakes	Other Government Facility

100	Mammoth Lakes Community Center	Town of Mammoth Lakes	1000 Forest Trail Mammoth Lakes	Other Community Support Organization
101	Mammoth Mountain Ski Area-Village at Mammoth	Mammoth Ski Resort	6201 Minaret Rd. Mammoth Lakes	Other Community Support Organization
102	Mammoth Mountain Ski Area-Eagle Lodge	Mammoth Ski Resort	3256 Meridian Blvd. Mammoth Lakes	Other Community Support Organization
103	Mammoth Mountain Ski Area-Canyon Lodge	Mammoth Ski Resort	895 Canyon Blvd. Mammoth Lakes	Other Community Support Organization
104	Mammoth Mountain Ski Area	Mammoth Ski Resort	10001 Minaret Road Mammoth Lakes	Other Community Support Organization
105	Mammoth Mountain Ski Area	Mammoth Ski Resort	1 Minaret Rd. Mammoth Lakes	Other Community Support Organization
106	June Lake Ski Area	Mammoth Ski Resort	3819 Hwy 158 June Lake	Other Community Support Organization
107	Sierra Nevada Aquatic Research Lab - SNARL	University of California Santa Barbara	1016 Mt. Morrison Rd. Crowley Lake	Other Institution of Higher Education
108	Long Valley Fire Station	Mono County	3605 Crowley Lake Dr. Crowley Lake	Public Safety Entity
109	Crowley Lake Library	Mono County Office of Education	3627 Crowley Lake Dr. Crowley Lake	Library
110	Crowley Lake Sub-Station	Mono County	3605 Crowley Lake Dr. Crowley Lake	Public Safety Entity
111	Caltrans Maintenance Yard-McGee	California Dept. of Transportation	Highway 395 @ McGee Creek Rd. Crowley Lake	Other Government Facility
112	Crowley Lake Community Center	Mono County	58 S Landing Rd. Crowley Lake	Other Community Support Organization
113	Mono County Maintenance Yard	Mono County	332 S Landing Rd. Crowley Lake	Other Government Facility
114	Benton Fire Station	White Mountain Fire Protection District	25470 Highway 6 Benton	Public Safety Entity
115	Benton Community Day School	Mono County Office of Education	25541 Highway 6 Benton	School (k-12)
116	High Desert Academy	Eastern Sierra Unified School District	25541 Highway 6 Benton	School (k-12)
117	Edna Beaman Elementary	Mono County Office of Education	25669 Highway 6 Benton	School (k-12)
118	Edna Beaman Library / Benton Library	Mono County Office of Education District	25669 Highway 6 Benton	Library
119	Benton Paiute Tribal Office	Benton Paiute Indian Tribe	555 Yellow Jacket Rd. Benton	Other Government Facility
120	CA Dept. Food & Ag. Inspection Station	US Forest Service	27211 HWY 6 Benton	Other Government Facility
121	Mono County Yard/Road Shop	Mono County	25474 HWY 6 Benton	Other Government Facility
122	Benton Community Center	Mono County	58869 Hwy 120 Benton	Other Community Support Organization
183	Chalfant Valley Fire Dept.	Chalfant Valley Fire Dept.	215 Valley Rd. Chalfant	Public Safety Entity
585	Chalfant Valley Community Center	Mono County	123 Valley Rd. Chalfant	Other Government Facility

Revised Exhibit E-1

Site Maps Showing Anchor Sites on Mono County Property



Anchors Nos. 11 and 12



Anchor No. 13



Anchor No. 14



Anchor No. 15



Anchor No. 16



Anchor 17
Antelope Valley Senior Center
399 Mule Deer RD, Walker, CA
96107

Bore to location from
distribution.

Antelope Valley Senior Center • Antelope Valley Senior Center

Image © 2012 GeoEye

Google earth

Imagery Date: 10/14/2010

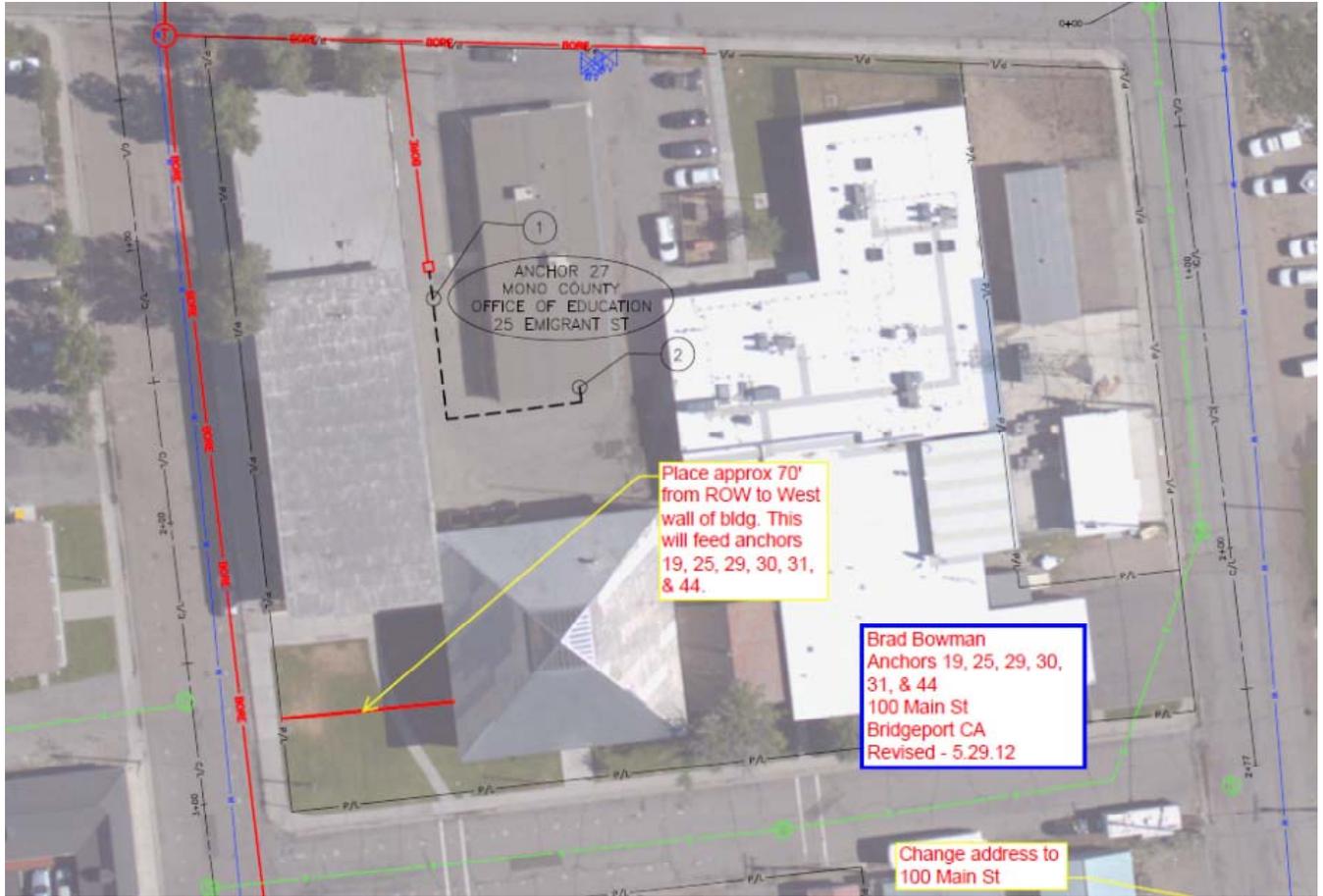
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Eye alt 5807 ft

Anchor No. 17



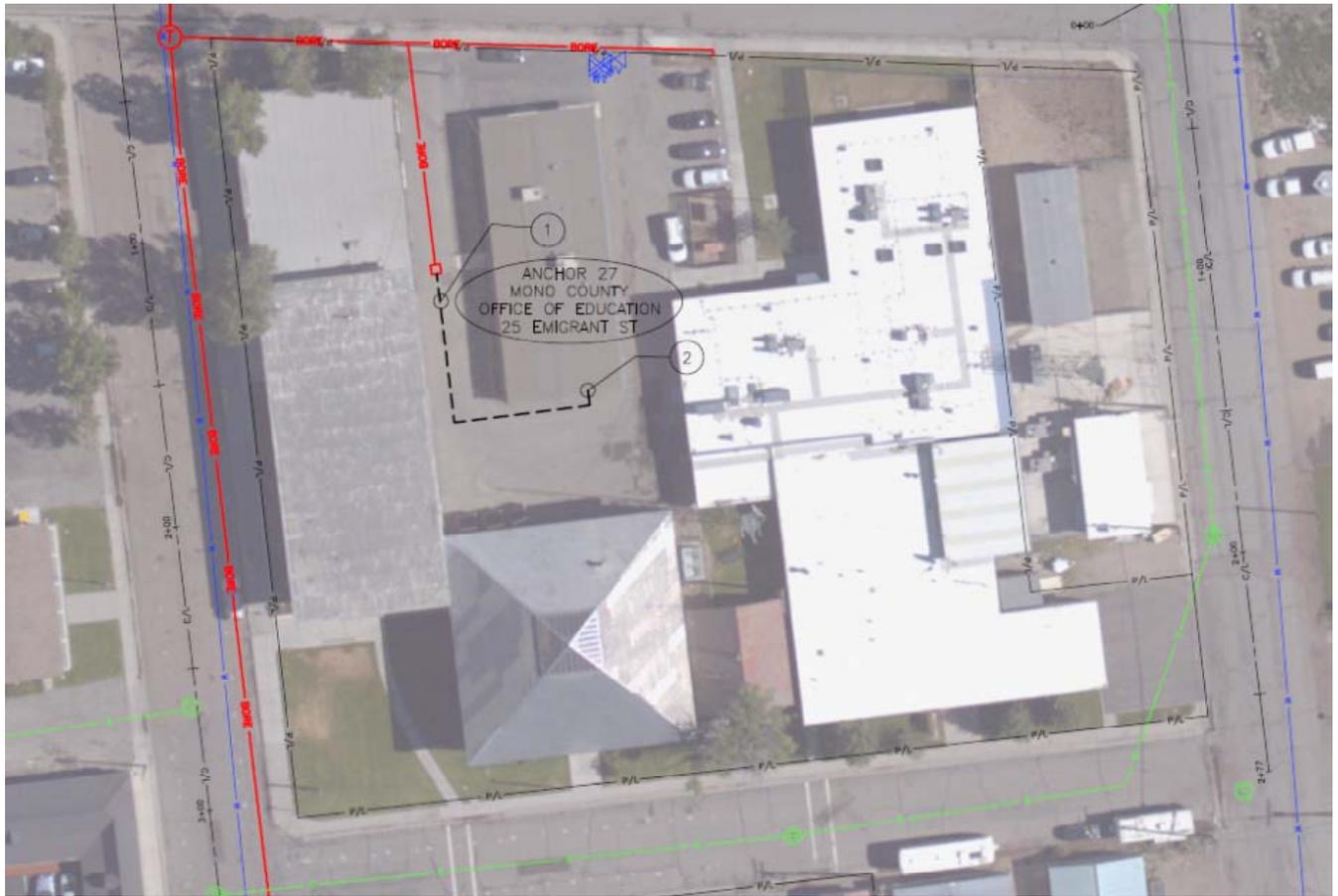
Anchor Nos. 18 and 26



Anchor Nos. 19, 25, 29, 30, 31, and 44



Anchor Nos. 21 and 35



Anchor No. 27



Anchor Nos. 36, 39 and 41



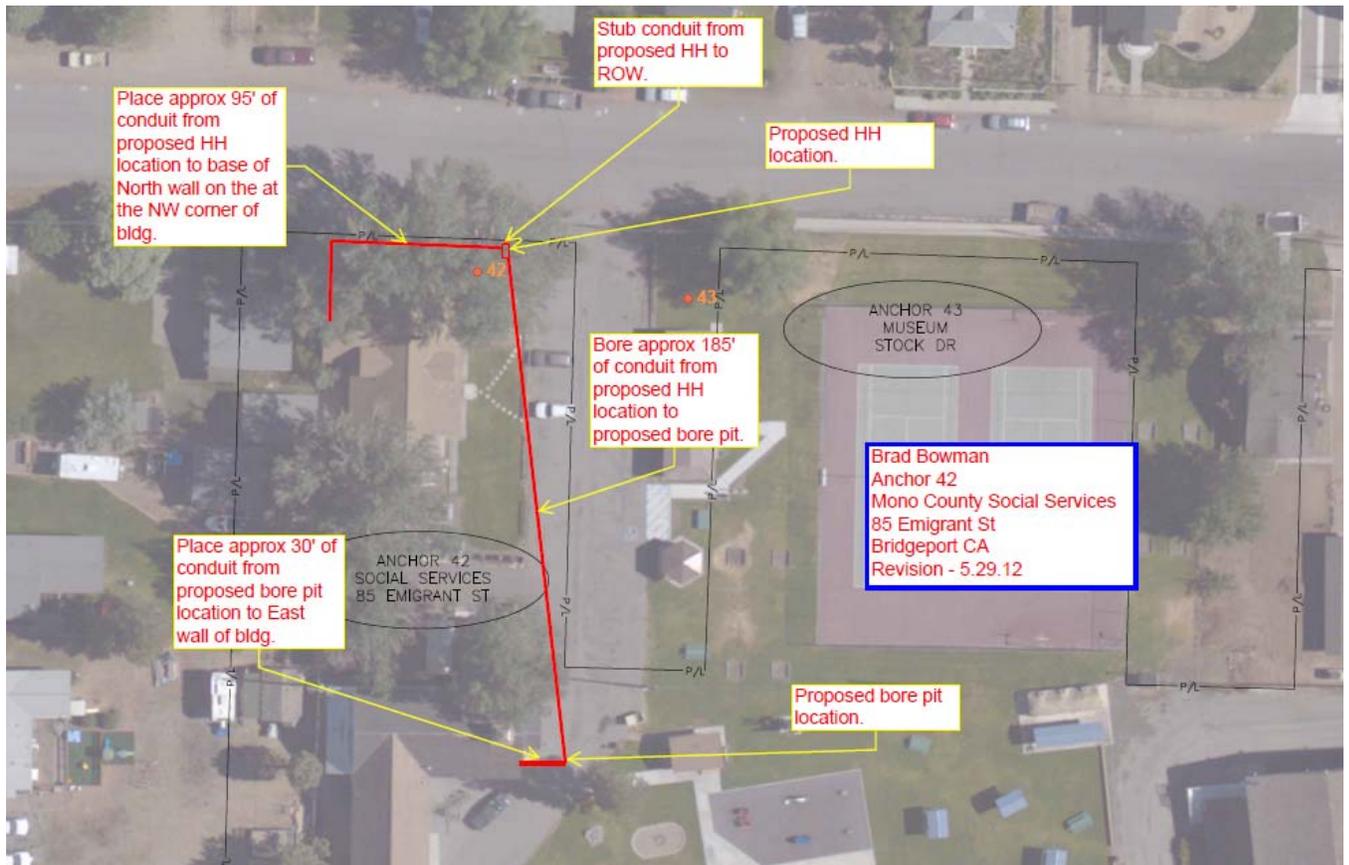
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Anchor No. 38



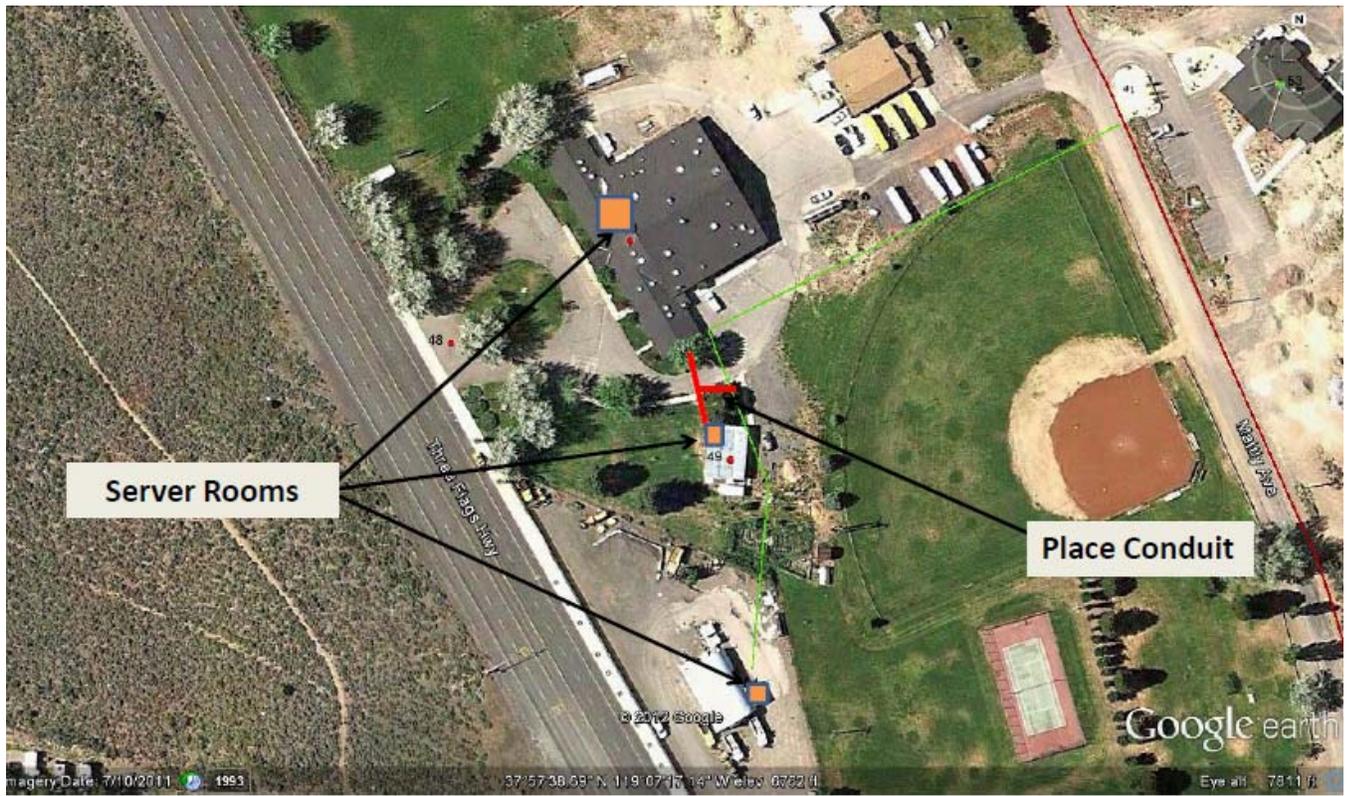
Anchor No. 40



Anchor Nos. 42 and 43



Anchor No. 53



Anchor #49, 50 And 54
Lee Vining Library, Lee Vining High School and County Maintenance Yard
51710 Hwy 395, 51710 Hwy 395 and Hwy 395 Lee Vining

Anchor No. 54

Note: Only the conduit route depicted in yellow represents the route over County property to its Maintenance Yard building. Licensee has obtained access rights from the adjoining property owner, Eastern Sierra Unified School District, for the remainder of the conduit route shown on this photo map.

Anchor 59
June Lake Fire and
Paramedics Station
June Lake CA



Anchor No. 59



Anchor Nos. 60, 61 and 62

Note: Anchor No. 62, June Lake Library, is not a County property. Licensee has obtained a separate access agreement to bring conduit into the Library building.



Anchor No. 76

Note: This property is owned by a third party. Licensee has obtained an access agreement to bring conduit into the building in which the County facility, Medic 3 Paramedic Station, is located.



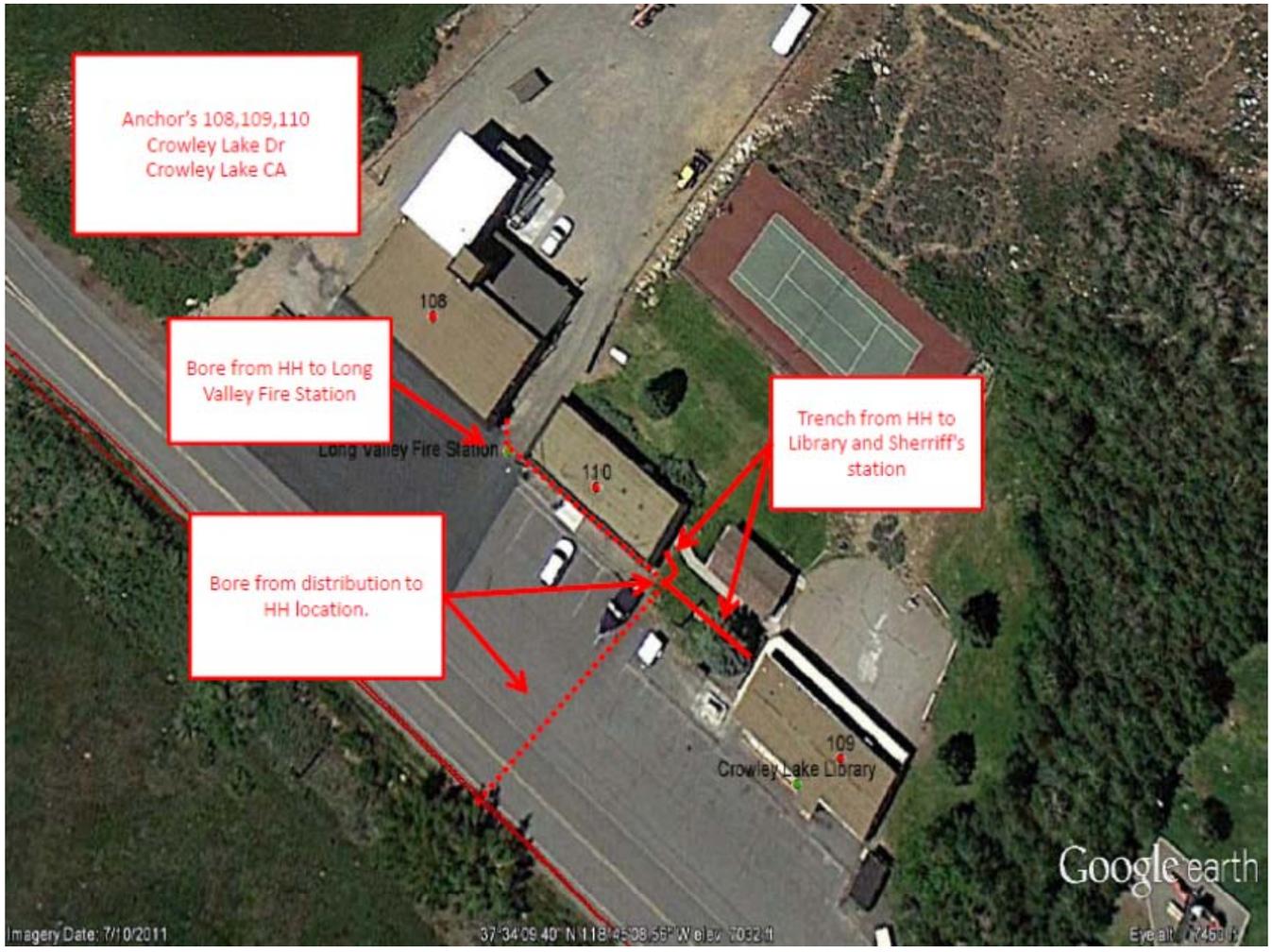
Anchor No. 82

Note: This property is owned by a third party. Licensee has obtained an access agreement to bring conduit into the building in which the County facility, Minaret County Government Complex, is located.



Anchor No. 89

Note: This property is owned by a third party. Licensee has obtained an access agreement to bring conduit into the building in which the County facility, Sierra County Government Complex, is located.



Anchor No. 110

Note: This property is owned by a third party. Licensee has obtained an access agreement to bring conduit into the building in which the County facility, Crowley Lake Sheriff's Substation, is located.



Anchor No. 112



Anchor No. 113



Anchor #121
Mono County District 2 Road Shop-County Yard
25574 HWY 6, Benton

Anchor No. 121



Anchor #122
Benton Community Center
58869 HWY 120, Benton

Anchor No. 122



Chalfant Community Center and Chalfant Fire

Anchor No. 585

Note: This property is owned by a third party. Licensee has obtained an access agreement to bring conduit into the building in which the County facility, Chalfant Valley Community Center, is located.

Exhibit F-1

General Description of Distribution Transmission Line Corridors

Segment	COUNTY OWNED MILEAGE	ROAD NAMES AND DESCRIPTION	COUNTY OWNED ROADS
M-100	0.476	Lundy Lake Rd. @ dirt road from Mill Ck. Powerhouse Rd. to BLM	Lundy Lake Road
M-103	1.140	Eastside Lane/Camp Antelope Rd. to Eastside Lane/ Hwy 395	Eastside Lane
M-103a	1.152	Eastside Lane/Hwy 395 to Hwy 395/Hackey Dr.	Highway 395
M-103	0.100	Hackey Dr/Hwy 395	Hackey Dr.
M-103	0.063	Shop Rd/Hackey Dr	Shop Rd.
M-103	0.064	Mule Deer Rd/Hackey Dr	Mule Deer Rd.
M-107	0.198	Twin Lakes Rd. to north side of Hwy 395 (BACKBONE)	Twin Lakes Rd.
M-107	0.329	Kingsley St./Twin Lakes Rd. east to Kingsley St./Larlel Ave.	Kingsley St.
M-107	0.057	Kingsley St./School St.	School St.
M-107	0.057	Emigrant St/School St.	School St.
M-107	0.563	Sweetwater Rd./Stock Dr. north to Sweetwater/Sagebrush Dr	Sweetwater Rd.
M-107	0.370	Sagebrush Dr./Sweetwater Rd. east to Pinenut Circle	Sagebrush Dr.
M-111	0.163	Mattly Ave./Visitor Center Dr.	Visitor Center Dr
M-111	0.051	3rd Street/crossing @ Hwy 395	3rd St.
M-111	0.076	Lee Vining Ave./3rd St. south of 4th St.	Lee Vining Ave.
M-111	0.121	Utility Rd./crossing @ Hwy 395	Utility Rd.
M-114	0.131	Hwy 158/Knoll Ave. to Knoll Ave./Bruce St.	Knoll Ave.
M114	0.297	Bruce St./Knoll Ave. to Bruce St./Granite Ave.	Bruce St
M-114	0.055	Granite Ave.	Granite Ave.
M-117	0.718	Hwy 395/Mt. Morrison Road east to SNARL	Mt. Morrison Road
M-118	0.011	Crowley Lake Drive @ Sheriff's Substation	Crowley Lake Drive

Exhibit G-1

Site Maps Showing Distribution Transmission Line Corridors

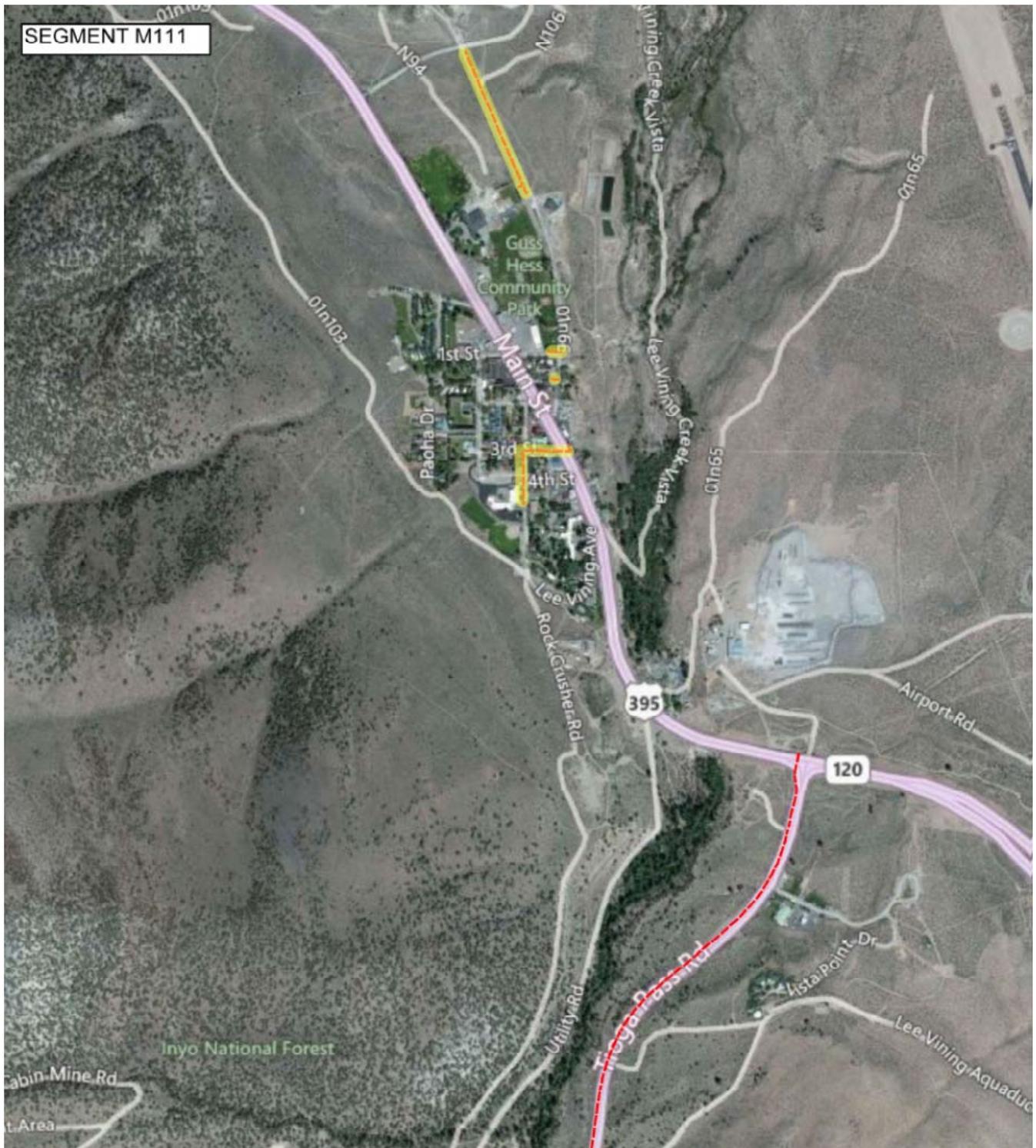


Walker Distribution Conduits

SEGMENT M106



M106 - Bridgeport Distribution Conduits



M111 - Lee Vining Distribution Conduits

SEGMENT M113



M113 - June Lake Distribution Conduits

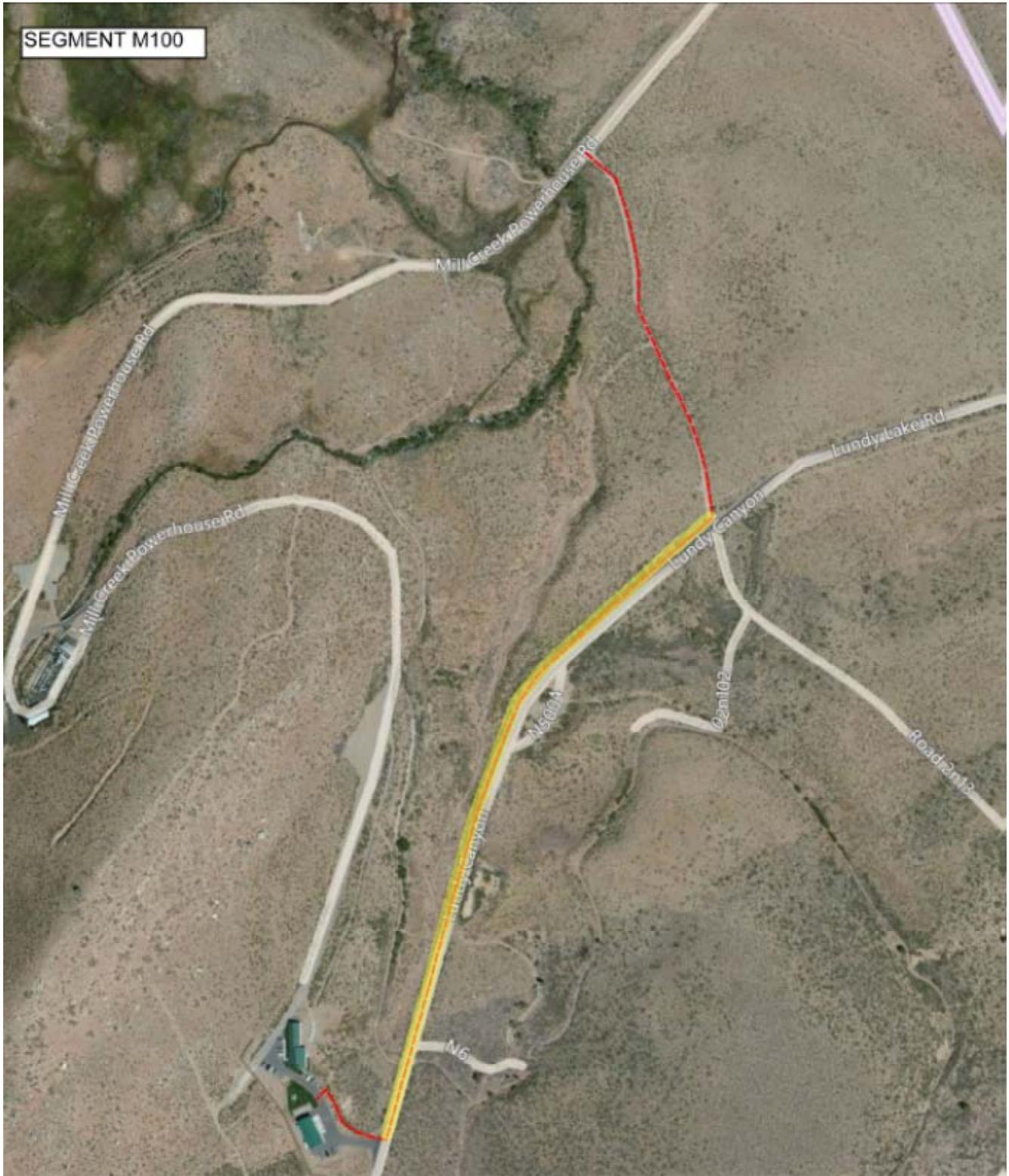


M117 – SNARL Distribution Conduits

SEGMENT M118



Crowley Lake Distribution Conduit



M100 Distribution Conduits



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE	December 4, 2012	DEPARTMENT	Community Development - Planning Division
ADDITIONAL DEPARTMENTS	County Counsel, Public Works		
TIME REQUIRED	45 minutes	PERSONS APPEARING BEFORE THE BOARD	Gerry Le Francois
SUBJECT	Public Hearing - White Mountain Estates Specific Plan Amendment and Modification to Tentative Tract Map 37-46		

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

White Mountain Estates Specific Plan Amendment and Tentative Tract Map Modification to eliminate speed hump on White Mountain Estates Road; eliminate per lot recreation fees; and eliminate housing mitigation requirements.

RECOMMENDED ACTION:

Adopt proposed resolution, which includes the following actions: A) Adoption of the attached addendum to the Final EIR for the White Mountain Estates Specific Plan; B) Approval of an amendment to the White Mountain Estates Specific Plan, Policy 2B, Program 2B (housing mitigation); Program 5-D (tabletop speed hump); and Policy 17A and Program 17A (per lot recreation fee); and C) Approve modification to Tentative Tract Map 37-46 Mitigation Monitoring and Conditions #2, and #31 with supporting findings.

FISCAL IMPACT:

Approximately \$40,000 of development impact fees for recreational improvements.

CONTACT NAME: Gerry Le Francois

PHONE/EMAIL: 924-1810 / glefrancois@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

Stacey Simon, County Counsel
Garrett Higerd, Public Works
Jeff Walter, Public Works

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

- [📄 Staff Report](#)
- [📄 Draft Resolution 12-xx](#)
- [📄 Attachment](#)
- [📄 attachment](#)
- [📄 Letter from Applicant's Attorney](#)
- [📄 attachment](#)

History

Time	Who	Approval
11/20/2012 6:05 PM	County Administrative Office	Yes
11/29/2012 8:22 AM	County Counsel	Yes
11/26/2012 1:10 PM	Finance	Yes

Mono County Community Development Department

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

Planning Division

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

December 4, 2012

To: Mono County Board of Supervisors

From: Gerry Le Francois, Principal Planner

Re: White Mountain Estates Specific Plan Final Environmental Impact Report Addendum
White Mountain Estates Specific Plan Amendment 12-002
Tentative Tract Map 37-46 Modification 12-001

I. RECOMMENDATION

The Planning Commission approved Resolution R12-06 recommending the Board of Supervisors approve:

Applicant's request to 1) eliminate the housing mitigation requirements on the project; 2) eliminate the tabletop speed hump on White Mountain Estates Road; and 3) eliminate the per/lot recreation fees imposed on the project.

If the Board concurs with the Planning Commission recommendation concerning the White Mountain Estates Specific Plan Amendment 12-002 and TTM 37-46 Modification 12-001, it should adopt Resolution R12-XX taking the following actions:

- A. Adoption of the attached addendum to the Final EIR for the White Mountain Estates Specific Plan;
- B. Approval of an amendment to the White Mountain Estates Specific Plan, Policy 2B, Program 2B (housing mitigation); Program 5-D (tabletop speed hump); and Policy 17A and Program 17A (per lot recreation fee); and
- C. Approve modification to Tentative Tract Map 37-46 Mitigation Monitoring and Conditions #2, and #31 with supporting findings.

II. BACKGROUND

The White Mountain Estates Specific Plan was approved by the Mono County Board of Supervisors Resolution R07-82 on November 20, 2007, along with approval of General Plan Amendment 06-01, which redesignated the parcels from Rural Mobile Home (RMH) to the Specific Plan land use designations, certification of the final EIR, and adoption of the associated Mitigation Monitoring and Reporting Program. As part of the approvals granted on that date, the Board of Supervisors approved a number of changes to the project Specific Plan and Tentative Tract Map and to the conditions of project approval. Subsequently, the Specific Plan and the Tentative Tract Map Conditions of Approval were amended by Board of Supervisors Resolution R10-77 on November 9, 2010, to change the requirement for traffic calming measures from a traffic circle to a median island with lane narrowing and road realignment to a tabletop speed hump.

The White Mountain Estates project is located on 70.38 acres in the southeast part of Mono County, California, in the Chalfant Valley portion of the Tri-Valley at the base of and on the western slope of the White Mountains, adjacent to the existing White Mountain Estates subdivision on the east side of Highway

6. The project site is approximately 10 miles north of Bishop, California, and 45 miles by road southeast of Mammoth Lakes.

The White Mountain Estates Specific Plan governs and regulates development standards and site uses. All future development on the site shall be consistent with requirements of the Specific Plan. The purpose of Specific Plan Amendment 12-002 is to make non-environmentally significant modifications to the approved Specific Plan which are consistent with the recommendations and findings of the Final Environmental Impact Report. Specifically, the proposed amendments would:

- 1) delete the affordable housing requirement;
- 2) delete the requirement for the installation of tabletop speed hump; and
- 3) delete the requirement for the payment of impact fees for recreational facilities.

FISCAL IMPACT

The proposed changes would result in a loss of approximately \$40,000 of development impact fees for recreational improvements.

IV. SPECIFIC PLAN POLICY & TENTATIVE TRACT MAP 37-46 CHANGES

1. Approval of applicant's request to eliminate Policy 2B and Program 2B would delete the following housing requirements:

Policy 2-B Ensure an adequate supply of locally available affordable housing.

Program 2-B The project shall provide two affordable housing units that meet the following criteria:

- 1) *The project shall provide one affordable housing unit that meets the following criteria:*
 - a) *At a minimum, the first unit shall be a two (2) bedroom, 1,200 square foot single-family unit with a two-car garage;*
 - b) *The first sale of this affordable unit shall be made to buyer(s) qualifying for financing under the Federal Housing Authority (FHA) lending criteria for those having an income no greater than 120 percent of adjusted median income (AMI);*
 - c) *Any resale of this unit (the second owner, third owner, etc.) shall be made to buyer(s) qualifying for financing under the Federal Housing Authority (FHA) lending criteria for those having an income no greater than 120 percent of adjusted median income (AMI), based on the AMI and FHA criteria at time of resale;*
 - d) *The restrictions on sales prices listed in subsections b and c shall be listed in the deed for this unit; and*
 - e) *Additional resale incentives may be offered to the seller of the unit, consistent with resale incentives provided to other like properties within the County, at the discretion of the County.*
- 2) *The project shall provide a second affordable housing unit that meets the following criteria:*
 - a) *At a minimum, the second unit shall be a three (3) bedroom, 1,200 square foot single-family unit with a two-car garage;*
 - b) *The first sale of this affordable unit shall be made to buyer(s) qualifying for financing under the Federal Housing Authority (FHA) lending criteria for those having an income no greater than 100 percent of adjusted median income (AMI);*
 - c) *Any resale of this unit (the second owner, third owner, etc.) shall be made to buyer(s) qualifying for financing under the Federal Housing Authority (FHA) lending criteria for those having an income no greater than 100 percent of adjusted median income (AMI), based on the AMI and FHA criteria at time of resale;*
 - d) *The restrictions on sales prices listed in subsections b and c shall be listed in the deed for this unit; and*
 - e) *Additional resale incentives may be offered to the seller of the unit, consistent with resale incentives provided to other like properties within the County, at the discretion of the County.*

- 3) *The affordable housing units must be developed and sold during Phase I of the development. The first affordable housing unit shall have a certificate of occupancy at the issuance of a building permit for the 12th unit. The second affordable housing unit shall have a certificate of occupancy at the issuance of a building permit for the 22nd unit.*
1. Approval of applicant's request to eliminate the tabletop speed hump would delete the following Specific Plan paragraph of Program 5D and the last paragraph of condition #31 of the Tentative Tract Map:

The developer shall additionally install, or pay in-lieu fees to County in the amount of County's costs to design, plan, and install, as a traffic calming measure, a "tabletop speed hump" on White Mountain Estates Road west of Sequoia Street. Installation (or payment of the in-lieu fees) must occur prior to recording of the final map, unless the developer enter into a subdivision improvement agreement (including bonding) with the County which provides for the installation of the tabletop speed hump no later than following the sale of five lots in the subdivision. In lieu fees shall be based on a cost estimate prepared by a licensed engineer. Developer shall additionally enter into an agreement with the County providing for the payment of any additional amounts by the developer (or for offset of amounts overpaid) based on the actual costs of designing, planning, and installing the improvement. The hump shall be constructed in conformance with drawing number R-403A of the Standard Detail of Public Works Construction, Reno section.

2. Approval of applicant's request to eliminate the per lot recreation fee would delete the Policy 17A and Program 17A and Mitigation Monitoring Condition #2:

Policy 17-A Ensure that the development provides funding for its fair share of additional recreational facilities and services required as a result of the development.

Program 17-A Prior to recording the final map, the applicant shall pay \$1,000 per lot to offset impacts to recreational facilities and services in Chalfant, as required by the Mono County Department of Public Works.

2. Consistent with recreation objectives identified for the Tri-Valley area in the Land Use Element, the developer shall contribute improvements and/or in-lieu fees for the Chalfant community park or an alternate location agreed upon by the developer and Department of Public Works. The cost for recreation improvements and/or in-lieu fees shall not be less than \$40,000. Any improvements to the Chalfant community park shall be approved by the Department of Public Works and shall be completed concurrent with subdivision improvements.

(EIR Mitigation Measure PS5 and Specific Plan Program 17-A)

- a. Must be satisfied prior to final approval of the tract map.
- b. Department of Public Works
- c. Applicant
- d. Design

LDTAC REVIEW

The Land Development Technical Advisory Committee reviewed this project on September 5, 2012. The Committee recommended moving forward with the requested changes.

PLANNING COMMISSION REVIEW

Following a public hearing on November 8, 2012, the Planning Commission adopted Resolution R12-06 taking actions necessary to recommend amendments to the White Mountain Estates Specific Plan and modification of Tentative Tract Map 37-46.

IV. ENVIRONMENTAL REVIEW

The White Mountain Estates Specific Plan Final Environmental Impact Report (EIR) includes the following components:

- White Mountain Estates Specific Plan and Environmental Impact Report, Part II, Draft EIR
- White Mountain Estates Specific Plan and Environmental Impact Report, Part III, Appendices
- White Mountain Estates Specific Plan and Environmental Impact Report, Part IV, Final EIR

The Final EIR for the White Mountain Estates Specific Plan was certified by the Board of Supervisors on November 20, 2007, with Resolution R07-82 and amended on November 9, 2010, with Resolution R10-77. The attached addendum has been prepared to this previously prepared EIR.

In compliance with CEQA Guidelines § 15164, the addendum to a previously certified EIR concludes that some changes are necessary but none of the conditions described in CEQA Guidelines §Section 15162 calling for preparation of a subsequent EIR have occurred. The Planning Commission has recommended that the Board consider the addendum decision not to prepare a subsequent EIR pursuant to CEQA prior to a decision on the project.

V. FINDINGS

SPECIFIC PLAN AMENDMENT FINDINGS

If the Board decides to approve Specific Plan Amendment 12-002, the Board should make the findings contained in Resolution R12-XX.

TENTATIVE MAP FINDINGS

If the Board decides to modify Tentative Tract Map 37-46, the Board should make the findings contained in Resolution R12-XX.

Attachments:

- Resolution R12-XX
- Addendum to adopted Final EIR
- White Mountain Estates Specific Plan Amendment in legislative format
- Letter from Steve Kappos representing applicant
- Planning Commission Resolution R12-06



DRAFT RESOLUTION R12-_____

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS
ADOPTING AN ADDENDUM TO THE WHITE MOUNTAIN ESTATES FINAL EIR, AMENDING
THE WHITE MOUNTAIN ESTATES SPECIFIC PLAN AND
MODIFYING TENTATIVE TRACT MAP 37-46**

WHEREAS, the White Mountain Estates project includes the White Mountain Estates Specific Plan Final Environmental Impact Report (Final EIR), the White Mountain Estates Specific Plan (SP), and Tentative Tract Map (TTM) 37-46; and

WHEREAS, the White Mountain Estates SP and TTM 37-46 include conditions that must be met before the TTM becomes final; and

WHEREAS, due to the current recession and poor economic climate, and in recognition of previous county actions repealing impact fees, the developer has requested that Specific Plan be amended to remove Policy 2B, Program 2B (housing mitigation); Program 5-D (tabletop speed bump); and Policy 17A and Program 17A (per lot recreation fee); and

WHEREAS, the developer also has requested removal of TTM condition # 2 (per lot recreation fee) and the last paragraph of TTM condition # 31 (tabletop speed bump); and

WHEREAS, Mono County certified a Final EIR pursuant to the California Environmental Quality Act (CEQA) for the above project on November 20, 2007, by Resolution R07-82; and

WHEREAS, an Addendum to the previously certified White Mountain Estates Final EIR has been prepared because some project changes or additions are necessary but none of the conditions described in CEQA Guidelines § 15162 calling for preparation of a subsequent EIR have occurred, and

WHEREAS, the Mono County Board of Supervisors has considered the addendum with the Final EIR prior to a decision on the project.

NOW, THEREFORE, BE IT RESOLVED THAT the Mono County Board of Supervisors amends the White Mountain Estates Specific Plan, Policy 2B, Program 2B (housing mitigation); Program 5-D and the last paragraph of condition #31 (tabletop speed bump); and Policy 17A, Program 17A, and condition #2 (per lot recreation fee), finding that the change in Specific Plan text is consistent with the text of the General Plan, the Tri-Valley Area Plan and other provisions of the White Mountain Estates Specific Plan because:

Housing Consistency

Housing Element program 14 states: Review and revise the Housing Mitigation requirements (MCC 15.40) to ensure that they remain effective and equitable in today's housing market.

The Board of Supervisors reviewed this requirement and chose to suspended housing mitigation requirements via Ordinance # 11-07. The proposed elimination of the housing requirement is consistent with the above Board Ordinance # 11-07.

1 *Requirements for two deed-restricted housing units were included in the Specific Plan in order to meet*
2 *the requirements of the proposed Mono County Housing Ordinance (Mono County Code, Chapter*
3 *15.40). The Housing Ordinance was adopted in 2006, following approval of the Specific Plan, and was*
4 *then subsequently amended in 2011 to temporarily suspend all housing mitigation requirements from*
5 *July 15, 2011, through July 15, 2013 (Ordinance # 11-07). The Ordinance suspending the affordable*
6 *housing requirements notes that the suspension was in the best interests of the County due to “the cost of*
7 *housing, and other relevant factors.”*

8 Transportation Consistency

9 The project is consistent with Tri-Valley Circulation Element because Action 1.2 states: Work with Caltrans
10 and the Tri-Valley communities to address highway improvement, safety issues, main street, and
11 development-related planning issues.

12 *The project was required to provide a northbound deceleration lane at White Mountain Estates Road*
13 *and US Highway 6, the developer relocated the cattle guard on White Mountain Estates Road, and the*
14 *developer paid his fare share of the White Mountain Estates road rehabilitation and as required in*
15 *condition #31. The applicant has requested elimination of the Tabletop speed bump. The FEIR concludes*
16 *that the project will not create significant impacts related to traffic volume, congestion, level of service,*
17 *pedestrian and bicycle facilities, or transit services. The project remains the same, with no change to*
18 *proposed land uses, number of housing units, or population levels. Associated traffic levels also remain*
19 *the same.*

20 Recreation Consistency

21 The project is consistent with Policy 2, Action 2.3 of the Conservation/Open Space Element that states:
22 Encourage the formation of a self-supporting park system by employing user fees (where appropriate),
23 concessionaire revenues, soliciting grants and private contributions, requesting volunteer help, and by other
24 means that further cost-effective park operations.

25 *The Specific Plan did not identify impacts to recreation as a significant environmental issue. It was one*
26 *of several impact areas identified as not potentially significant for which mitigation measures were*
27 *included in the DEIR to reduce impacts to even lower levels.*

28 *In the past, developer impacts have been required in Mono County as required by Board Ordinance*
29 *R05-093. The Developer Impact Fees were subsequently repealed by the County in July 2011*
30 *(Ordinance R11-45). The Specific Plan identifies the Chalfant Park as the facility to be funded by the*
developer impact fees. The County typically seeks grants and similar funding for improvements at county
park facilities, rather than relying on developer impact fees.

The project includes three open-space lots that total 14.35 acres, along with extra-wide roads to allow
for pedestrian and bicycle uses along the roads. The project thus provides areas for recreation on site
and connects to surrounding off-site recreational areas.

General Policy Consistency

The project is consistent with the general policy direction of the General Plan. As an example, this project is
adjacent to the existing 44-lot White Mountain Estates subdivision and shares the same access road, White
Mountain Estates Road. Land Use Element Action 1.1 states: Encourage infill development in existing
communities and subdivision.

This project is adjacent to the existing 44-lot White Mountain Estates subdivision and shares the same
access road, White Mountain Estates Road.

1 **BE IT FURTHER RESOLVED THAT** the Mono County Board of Supervisors modifies TTM 37-46
2 Conditions # 2 and #31, finding that:

- 3 1. The proposed map is consistent with the county General Plan and with the Specific Plan for the area
4 because:

5 *The subdivision is consistent with the county General Plan Land Use Designation of Specific Plan
6 and with policies in the Tri-Valley Area Plan that encourage residential development in areas
7 adjacent to existing development consistent with the Specific Plan.*

- 8 2. The design and improvements of the proposed subdivision are consistent with the existing General Plan
9 because:

10 *The Specific Plan, which allows 45 single-family residential lots with an overall project density of
11 1.5 acres per dwelling unit, and accompanying open space and utility parcels, complies with
12 minimum health requirements and development standards for lot sizes.*

- 13 3. The site is physically suitable for the type of development proposed because:

14 *The site is adjacent to existing roads and utilities and to the existing development at White Mountain
15 Estates, and is suitable for residential development, and the 70.38 acres is of sufficient size to allow
16 the proposed development.*

- 17 4. The site is physically suitable for the proposed density of development because:

18 *The parcel has suitable area and topography for the development of 45 residential lots.*

- 19 5. The design of the subdivision and/or the proposed improvements will minimize environmental damage
20 or substantially reduce impacts to fish or wildlife or their habitat because:

21 *Potential environmental impacts have been analyzed and mitigation measures have been proposed
22 to reduce potential impacts to less-than-significant levels. The implementation of these mitigation
23 measures has been required as a condition of project approval.*

- 24 6. The design of the subdivision or type of improvements is not likely to cause serious public health
25 problems because:

26 *Potential impacts related to public health have been analyzed and mitigation measures have been
27 proposed to reduce potential impacts to less-than-significant levels. The implementation of those
28 mitigation measures is required as a condition of project approval.*

- 29 7. The design of the subdivision or type of improvements will not conflict with easements, acquired by the
30 public at large, for access through or use of property within the proposed subdivision because:

(a) *No evidence was presented at the public hearing for this project indicating that the design of
the subdivision or any improvements proposed in conjunction with the approval of the
subdivision will have a substantial impact or conflict with easements acquired by the public, for
access through or use of the property, within the proposed subdivision.*

(b) *The project is designed to provide paved roads for access to the proposed lots.*

(c) *The project is designed to provide access to surrounding public lands.*

PASSED AND ADOPTED this 4th day of December, 2012, by the following vote of the Board of
Supervisors, County of Mono:

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AYES :

NOES :

ABSENT :

ABSTAIN :

Vikki Bauer, Chair
Mono County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Shannon Kendall, Clerk of the Board

Stacey Simon, Assistant County Counsel

**Addendum
to the
White Mountain Estates Specific Plan
Final Environmental Impact Report (FEIR)**

SCH # 2005022068

November, 2012

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Executive Summary

The White Mountain Estates Specific Plan was approved by the Mono County Board of Supervisors Resolution R07-82 on November 20, 2007, along with approval of General Plan Amendment 06-01, which redesignated the parcels from Rural Mobile Home (RMH) to the Specific Plan land use designations, certification of the final EIR, and adoption of the associated Mitigation Monitoring and Reporting Program. As part of the approvals granted on that date, the Board of Supervisors approved a number of changes to the project Specific Plan and Tentative Tract Map and to the conditions of project approval. Subsequently, the Specific Plan and the Tentative Tract Map Conditions of Approval were amended by Board of Supervisors Resolution R10-77 on November 9, 2010, to change the requirement for traffic calming measures from a traffic circle to a median island with lane narrowing and road realignment to a tabletop speed hump.

The White Mountain Estates project is located on 70.38 acres in the southeast part of Mono County, California, in the Chalfant Valley portion of the Tri-Valley at the base of and on the western slope of the White Mountains, adjacent to the existing White Mountain Estates subdivision on the east side of Highway 6. The project site is approximately 10 miles north of Bishop, California, and 45 miles by road southeast of Mammoth Lakes.

The White Mountain Estates Specific Plan governs and regulates development standards and site uses. All future development on the site shall be consistent with requirements of the Specific Plan. The purpose of Specific Plan Amendment 12-002 is to make non-environmentally significant modifications to the approved Specific Plan which are consistent with the recommendations and findings of the Final Environmental Impact Report. Specifically, the proposed amendments would:

- 1) delete the affordable housing requirement;
- 2) delete the requirement for the installation of tabletop speed hump; and
- 3) delete the requirement for the payment of impact fees for recreational facilities.

Addendum Determination

Mono County has determined that an Addendum to the Final Environmental Impact Report is the appropriate level of environmental review under CEQA. An Addendum is appropriate because the analysis in Table 1 below demonstrates that none of the conditions described in CEQA Guidelines Section 15162 have occurred.

CEQA Guidelines Section 15164 (a) provides that “the lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.” None of the conditions described in Section 15162 have occurred.

Section 15162 of the CEQA Guidelines provides for the preparation of a subsequent EIR when:

- (1) Substantial changes are proposed in the project, which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment but the project proponent declines to adopt the mitigation measure or alternative.

Table 1: Review of findings under CEQA Guidelines Section 15162

<p>Summary and Location of the Proposed Specific Plan Change</p>	<p>CEQA Guidelines Section 15162 Analysis</p>
<p>Pages I-15 and 16: HOUSING POLICIES, Policy 2-B and Program 2-B Deletes requirements for the provision of deed-restricted housing in response to the Housing Mitigation Ordinance suspension COUNTY ORDINANCES #06-06 AND #11-07 WORKFORCE HOUSING REQUIREMENTS (Mono County Code Chapter 15.40)</p>	<p>Requirements for two deed-restricted housing units were included in the Specific Plan in order to meet the requirements of the proposed Mono County Housing Ordinance (Mono County Code, Chapter 15.40). The Housing Ordinance was adopted in 2006, following approval of the Specific Plan, and was then subsequently amended in 2011 to temporarily suspend all housing mitigation requirements from July 15, 2011, through July 15, 2013 (Ordinance # 11-07). The Ordinance suspending the affordable housing requirements notes that the suspension was in the best interests of the County due to "...the cost of housing, and other relevant factors."</p> <p>The Specific Plan allows for the development of 46 single-family residences anticipated to cost approximately \$325,000-\$350,000. The proposed houses would be affordable to</p>

	<p>households with above moderate incomes and would fulfill the regional housing need for above moderate income housing in the Tri-Valley. Eliminating the requirement for deed-restricted housing will not change the total number of units available or the price of those units.</p> <p>Therefore, there is no change to the environment, or from the original analysis, because the project will still provide 46 single-family housing units and will still fulfill the regional housing need.</p> <p>The Specific Plan did not identify affordable housing as a significant environmental issue. It was one of several impact areas identified as not potentially significant; for which mitigation measures were included in the DEIR to reduce impacts to even lower levels.</p> <p>This is not a substantial change, does not increase the severity of previously identified significant effects, and is not substantial new information indicating that a previously-identified effect is more severe.</p>
<p>Page I-35: TRANSPORTATION POLICIES/ Circulation System and Page 5 and 29 of Compliance Checklist: Deletes requirements in Program 5-D for the installation of tabletop speed hump, i.e. The developer shall additionally install, or pay in lieu fees to County in the amount of County's costs to design, plan, and install, as a traffic calming measure, a "tabletop speed hump" on White Mountain Estates Road west of Sequoia Street. Installation (or payment of the in lieu fees) must occur prior to recording of the final map, unless the developer enter into a subdivision improvement agreement (including bonding) with the County which provides for the installation of the tabletop speed hump no later than following the sale of five lots in the subdivision. In lieu fees shall be based on a cost estimate prepared by a licensed engineer. Developer shall additionally enter into an agreement with the County providing for the payment of any additional amounts by the developer (or for offset of amounts overpaid) based on the actual costs of designing, planning, and installing the improvement. The hump shall be constructed in conformance with drawing number R 403A of the Standard Detail of Public Works Construction, Reno section.</p>	<p>The FEIR concludes that the project will not create significant impacts related to traffic volume, congestion, level of service, pedestrian and bicycle facilities, or transit services. The project remains the same, with no change to proposed land uses, number of housing units, or population levels. Associated traffic levels also remain the same.</p> <p>Therefore, there is no change to the environment, or from the original analysis, and removing the tabletop speed hump requirement is not a substantial change, does not increase the severity of previously identified significant effects, and is not substantial new information indicating that a previously-identified effect is more severe.</p>

<p>Page I-43: OTHER SERVICES/Recreational Facilities, Objective 17, Policy 17-A, Program 17-A</p> <ul style="list-style-type: none"> • Deletes requirements for the payment of developer impact fees to pay for recreational facilities 	<p>A requirement to pay developer impact fees for recreational facilities was included in the Specific Plan in order to meet the requirements for Developer Impact Fees For Capital Improvements in the South County Area (Ordinance R05-093), adopted November 8, 2005. The Developer Impact Fees were subsequently repealed by the County in July, 2011 (Ordinance R11-45). The Specific Plan identifies the Chalfant Park as the facility to be funded by the developer impact fees. Without developer impact fees, the County typically seeks grants and similar funding for improvements at County park facilities.</p> <p>The project includes three open space lots that total 14.35 acres, along with extra wide roads to allow for pedestrian and bicycle uses along the roads. The project provides areas for recreation on-site and connects to surrounding recreational areas. The Specific Plan did not identify impacts to recreation as a significant environmental issue. It was one of several impact areas identified as not potentially significant; for which mitigation measures were included in the DEIR to reduce impacts to even lower levels.</p> <p>This is not a substantial change, does not increase the severity of previously identified significant effects, and is not substantial new information indicating that a previously-identified effect is more severe.</p>
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References

Phone conversation with Gerry LeFrancois, Principal Planner, October 24, 2012.

White Mountain Estates Specific Plan and Environmental Impact Report

Part I: Specific Plan

Adopted November 20, 2007

1st amendment November 9, 2010

Proposed 2nd amendment 2012

Note: deletions are shown in ~~red strikethrough~~

Prepared By:

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**WHITE MOUNTAIN ESTATES SPECIFIC PLAN
AND
ENVIRONMENTAL IMPACT REPORT**

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EIR CONSULTANT

Laurie Mitchel, Principal

PROJECT PROPONENT

APPLICANT

White Mountain Estates LLC

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COPY OF ADOPTING RESOLUTION

Adoption of the White Mountain Estates Specific Plan and Tentative Tract Map 37-47

See Board of Supervisor's Resolution R07-82 on November 20, 2007. This resolution is attached at the end of this document.

Amendment 1

Board of Supervisor's Resolution R10-077 amending the Specific Plan and Tentative Tract Map on November 9, 2010. This resolution is attached at the end of this document.

SUMMARY - WHITE MOUNTAIN ESTATES SPECIFIC PLAN

PROJECT OBJECTIVE

The overall objective of the proposed project is to increase the amount of single-family housing in the Chalfant Valley in a manner that minimizes impacts to surrounding public lands. Specific project objectives include:

- Increasing residential development opportunities in order to support additional services, such as fire protection, water supply, and schools, and to support an increase in the population.
- Maintaining open space areas and uses on the project site.

The project applicant intends to provide a total of forty-six (46) single-family residential lots; thirty-nine (39) single-family residential lots on the flatter western portion of the site and six (6) single-family residential lots on the steeper eastern portion of the site along with a remainder parcel that allows one single-family residence.

PROJECT COMPONENTS

The White Mountain Estates Specific Plan includes the following components:

1. Subdivision of a total of 70.38 acres (APNs 26-240-09 and 26-240-10) into forty-five (45) single-family residential lots (overall project density of 1.5 acres per dwelling unit), one utility lot (0.78 acres) for water and propane tanks, three lots for open space uses (1.46 acres, 3.81 acres, and 9.08 acres), and a remainder parcel (19.23 acres) that allows one single-family residence. Tract Map Application 37-46 addresses the subdivision of the property.
2. Designation of the project site as Specific Plan (SP). Within the Specific Plan, planned land uses include Single Family Residential with a ½ acre minimum lot size (SFR-½), Open Space (OS), Utility (U), and Specific Plan/Single Family Residential (SP/SFR). An application for a General Plan Amendment (GPA 06-01) addresses the redesignation of the parcels from Rural Mobile Home (RMH) to the Specific Plan land use designations.
3. Development of required infrastructure on-site, including paved two-lane roads, pedestrian paths, a domestic and fire protection water system (wells, water distribution and storage system, fire hydrants), a propane tank area and underground propane distribution system, a storm drainage system, an underground electrical and telephone system, and individual septic systems for all lots. On-site infrastructure improvements would be developed in two phases by White Mountain Estates LLC.
4. White Mountain Estates LLC is proposing to install either factory-built housing or traditional stick-built housing. Any factory-built housing on-site will be installed on an engineered load-

bearing foundation system. Housing materials and colors are intended to blend aesthetically into the surrounding environment. The residential lots would be developed by White Mountain Estates LLC in two consecutive phases.

5. The project, including all associated public infrastructure, would be privately funded.

LOCATION

The project site is located in the southeast part of Mono County, California, in the Chalfant Valley portion of the Tri-Valley. The project site is approximately 10 miles north of Bishop, California, the nearest large incorporated area. It is approximately 45 miles southeast of Mammoth Lakes, by road, the nearest large incorporated area in Mono County. The project site is adjacent to the existing White Mountain Estates subdivision on the east side of Highway 6 at White Mountain Estates Road, approximately 2.4 miles south of the community of Chalfant and approximately 0.8 miles east of Highway 6. It is located in the S ½ of the SE ¼ and SE ¼ of the SW ¼ of Section 22, T 5 S, R 33 E, MDBM.

ACREAGE

The proposed project site includes a total of 70.38 acres on two adjacent parcels; APN 26-240-09 is 29.00 acres and APN 26-240-10 is 41.38 acres. The project would subdivide APN 26-240-09, located adjacent to the existing White Mountain Estates subdivision, into thirty-nine (39) single-family residential lots with a 0.5 acre minimum lot size. APN 26-240-10 would be divided into six (6) single-family residential lots, one (1) utility lot for water and propane tanks, three (3) lots for open space uses, and a remainder parcel that allows one single-family residence. APN 26-240-10 also includes a small lot with an existing water storage tank for the White Mountain Estates Mutual Water Company that is not part of the proposed project.

IDENTIFIED ISSUES

Issues identified for the proposed project through the scoping process and initial study include the following:

1. There are a number of issues relating to water, i.e.:
 - water consumption by the project;
 - impacts on existing wells and the surrounding water table;
 - water pressure/fireflow issues;
 - septic system impacts on water quality; and
 - potential cumulative water quantity and quality impacts in the area.
2. There is a need to avoid disturbance to sensitive plant species on-site and to sensitive plant communities, i.e. the riparian and wetlands areas on-site.
3. There is a need to avoid development in areas impacted by fault hazards.

4. There are concerns about the additional traffic impacts on Highway 6, particularly at the intersection with White Mountain Estates Road.
5. There are aesthetic issues related to the rural character of the area, i.e.:
 - the project should "allow for the continuation of growth in Chalfant in a manner that promotes and protects its rural and agricultural character" (Mono County Land Use Element, Tri-Valley policies, Objective C, Policy 1); and
 - the "look" of the development should remain rural (development layout, building styles).
6. Forty-six additional residences and the resulting increase in population could create impacts to public services (transfer station, schools, phone lines, mail) and emergency services (paramedic, fire protection, sheriff) in the area.

SUMMARY OF PREPARATION PROCESS

The White Mountain Estates Specific Plan and EIR was prepared by a consultant utilizing review of related technical literature and data, evaluation of the project plan documents, review of local plans and policies including the Mono County General Plan and Land Development Regulations, consultation with interested agencies and individuals, comments received during the scoping process, and incorporation of special studies prepared for the Specific Plan (cultural resources, hydrogeology, botanical, wildlife, traffic/circulation, fault hazards, drainage).

SPECIFIC PLAN IMPLEMENTATION & MONITORING

Policies in the Specific Plan will be implemented through the design and conservation standards established in the Plan. Those standards incorporate suggested mitigation measures from the special studies (cultural resources, hydrogeology, botanical, wildlife, traffic/circulation, fault hazards) prepared for the project as well as mitigation from the County's General Plan and Land Development Regulations. The design and conservation standards also incorporate proposed mitigation measures resulting from the analysis in the Draft Environmental Impact Report for the Specific Plan. Implementation of the portions of the Specific Plan will also be achieved through the tract map process and conditions of approval for the tract map.

Implementation and monitoring of the Specific Plan are outlined in detail in Chapter VII, Specific Plan Enforcement.

I. INTRODUCTION

SPECIFIC PLAN PURPOSES

The purpose of the proposed project is to increase the amount of single-family housing in Mono County and in the Chalfant Valley. The proposed project would provide 46 single-family residences.

The proposed project is intended to meet the identified need for additional housing in Mono County. The Mono County Housing Element 2004 Update identifies the Regional Housing Needs for the unincorporated area of the county and for Tri-Valley:

<u>Income Group</u>	<u>Unincorporated Area Need</u>	<u>Tri-Valley Need</u>
Very Low	49	8
Low	48	8
Moderate	39	7
Above Moderate	<u>97</u>	<u>16</u>
Total	233	39

Notes: Tri-Valley need is based on the proportion of the total unincorporated area population living in the Tri-Valley in 2000.
Source: Mono County Housing Element 2004 Update.

Very low income households are those with 50 percent or less of the area's median income; low income households are those with 50 to 80 percent of the median income; moderate income households are those with 80 to 100 percent of the median income; and above moderate income households are those with 100 to 120 percent or more of the median income. The median income for the unincorporated area of Mono County was \$ 54,500 in 2003 (Mono County Housing Element 2004 Update). Housing in the proposed project is anticipated to sell at \$325,000--\$350,000. The proposed houses would be affordable to households with above moderate incomes and would fulfill the regional housing need for above moderate income housing in the Tri-Valley.

PROJECT COMPONENTS

The White Mountain Estates Specific Plan includes the following components:

1. Subdivision of a total of 70.38 acres (APNs 26-240-09 and 26-240-10) into forty-five (45) single-family residential lots (overall project density of 1.5 acres per dwelling unit), one utility lot (0.78 acres) for water and propane tanks, three lots for open space uses (1.46 acres, 3.81 acres, and 9.08 acres), and a remainder parcel (19.23 acres) that allows one single-family residence. Tract Map Application 37-46 addresses the subdivision of the property.

2. Designation of the project site as Specific Plan (SP). Within the Specific Plan, planned land uses include Single Family Residential with a ½ acre minimum lot size (SFR-½), Open Space (OS), Utility (U), and Specific Plan/Single Family Residential (SP/SFR). An application for a General Plan Amendment (GPA 06-01) addresses the redesignation of the parcels from Rural Mobile Home (RMH) to the Specific Plan land use designations.
3. Development of required infrastructure on-site, including paved two-lane roads, pedestrian paths, a domestic and fire protection water system (wells, water distribution and storage system, fire hydrants), a propane tank area and underground propane distribution system, a storm drainage system, an underground electrical and telephone system, and individual septic systems for all lots. On-site infrastructure improvements would be developed in two phases by White Mountain Estates LLC.
4. White Mountain Estates LLC is proposing to install either factory-built housing or traditional stick-built housing. Any factory-built housing on-site will be installed on an engineered load-bearing foundation system. Housing materials and colors are intended to blend aesthetically into the surrounding environment. The residential lots would be developed by White Mountain Estates LLC in two consecutive phases.
5. The project, including all associated public infrastructure, would be privately funded.

PROJECT LOCATION

The project site is located in the southeast part of Mono County, California, in the Chalfant Valley portion of the Tri-Valley at the base of and on the western slope of the White Mountains. Elevations on-site range from 4,295 feet above mean sea level (msl) at the southwest corner of the project site to over 4,600 feet above msl along the eastern property line of the project. The project site is approximately 10 miles north of Bishop, California, the nearest large incorporated area. It is approximately 45 miles by road southeast of Mammoth Lakes, the nearest large incorporated area in Mono County. The project site is adjacent to the existing White Mountain Estates subdivision on the east side of Highway 6 at White Mountain Estates Road, approximately 2.4 miles south of the community of Chalfant and 0.8 miles east of Highway 6. It is located in the S ½ of the SE ¼ and SE ¼ of the SW ¼ of Section 22, T 5 S, R 33 E, MDBM. Figure 1 of the Map Set (see Appendix A) provides a Regional Location Map and a Vicinity Map.

PLANNING AREA SETTING

The Chalfant Valley, which includes the communities of Chalfant and White Mountain Estates, had a population of approximately 465 persons in 2000, approximately 49 percent of the total population in the Tri-Valley (2000 US Census, Summary File 1, Table P1). The predominant land uses in the area are residential, agricultural, and open space utilized primarily for dispersed recreation. In addition to residential development, the community of Chalfant has a small store and community facilities including a community center, park, solid-waste transfer station, and fire station.

Residential property in the Chalfant Valley is a mix of half-acre lots, one-acre lots and larger lots designated Rural Mobile Home (RMH) or Estate Residential (ER). Both designations allow

Mobile Homes to be used as single-family residences, small-scale agriculture for personal use, and animals and pets as allowed by the Mono County Animal Standards (Section 04.270 of the Land Development Regulations). Existing development in White Mountain Estates is half-acre lots designated Rural Mobile Home (RMH).

Development in Chalfant is served by individual wells and septic systems. The Chalfant Valley Fire Protection District provides fire protection services to developed areas in Chalfant. Electricity is provided by Southern California Edison. Individual propane tanks provide additional energy for heating. Telephone service is provided by Verizon.

Highway 6 is the main access route to and through the Tri-Valley. Two-lane paved county-maintained roads provide access to residential development from Highway 6. There are also a number of gravel and dirt non-county maintained roads throughout the Tri-Valley.

Land use outside of community areas in the Chalfant Valley is primarily open space and agriculture. Land on both sides of Highway 6 is owned by the Los Angeles Department of Water and Power (LADWP). That land is designated Open Space (OS) and is maintained as open space by LADWP to protect its water resources. Farther east and west of the community areas, the land is public land managed by the Bureau of Land Management (BLM). Those lands are primarily managed for habitat conservation and dispersed recreation.

Land surrounding the project site includes LADWP lands designated Open Space (OS) to the south, public lands managed by the Bureau of Land Management (BLM) to the south, north, and east, and the existing forty-four (44) lot White Mountain Estates subdivision to the west. The lot immediately south of the eastern portion of the project site is the common lot for the existing White Mountain Estates subdivision. That lot is designated Rural Mobile Home (RMH) and is used for storage by residents of the existing subdivision. The existing subdivision is designated Rural Mobile Home (RMH); the public lands managed by the BLM are designated Resource Management (RM) and Specific Plan (SP). The SP designation indicates land identified for a potential land exchange.

Chalfant is within the boundaries of the Eastern Sierra Unified School District (ESUSD). There are no schools in Chalfant. The ESUSD has an elementary school and a small alternative high school in Benton. Some elementary students in the Tri-Valley utilize the Benton school. Others, particularly those in Chalfant, apply for an interdistrict transfer to attend school in Bishop. The Bishop Union Elementary School District had 22 students from Chalfant during the 2003-2004 school year. Students from Chalfant attending elementary school in Bishop must provide their own transportation.

Most high school students in the Tri-Valley attend high school in Bishop at Bishop Unified High School. Approximately 10-12 students from Chalfant attended high school in Bishop during the 2003-2004 school year. The ESUSD provides a bus to transport high school students from Benton, Hammil, and Chalfant to Bishop. The ESUSD is in the very early stages of acquiring land in Chalfant for a school site. The development of the schools would be a gradual process, timed to coincide with growth in Chalfant and the development of a population base for the schools.

Data from the 2000 US Census indicate that many residents also commute outside of the community and outside of the county for jobs. In 2000, 71 percent of employed persons in the Tri-Valley worked outside of Mono County, probably in Bishop (US Census 2000, Summary File 3,

Table P26). For all employed persons in the Tri-Valley, 7.5 percent worked at home, 54.3 percent commuted less than 30 minutes to work, 18 percent commuted 30 to 44 minutes, 4.4 percent commuted 45 to 59 minutes, and 15.8 percent commuted 60 minutes or longer (US Census 2000, Summary File 3, Tables P31 and P32).

ENVIRONMENTAL SETTING

The Tri-Valley is a north-south trending valley, relatively flat in the middle, bounded to the east by the White Mountains and to the west by the southeast sloping lava flows of the Volcanic Tablelands and the Benton Range. Outside of community areas, most of the land in the Tri-Valley is public land managed by the Bureau of Land Management (BLM). In the Chalfant Valley area, the Los Angeles Department of Water and Power (LADWP) owns large parcels of land. The following discussion provides an overview of the environmental setting in the area; environmental issues are discussed in detail in the DEIR for the project.

WATER RESOURCES

The Tri-Valley is a northern extension of the Owens Valley; runoff from the surrounding mountains drains into the valley and ultimately into the Owens Valley in Inyo County. Streams originating in the White Mountains contribute most of the runoff in this watershed. Ephemeral streams drain the western slopes of the valley. An ephemeral wash from Benton to Laws in Inyo County drains the Tri-Valley and during periods of heavy precipitation, it conveys floodwaters downstream (Mono County MEA, p. 189). Most of the runoff in the basin is either captured as surface water and used for irrigation on local farms or drains into the valley's deep alluvium and is captured as groundwater. The area experiences very little rainfall and most of it is absorbed by the highly permeable soils in the area.

The Hydrogeologic Report prepared for the project notes that groundwater flow in the immediate vicinity of the project site is complex. Groundwater appears to come from a variety of sources including underflow from throughout the Tri-Valley, infiltration of runoff into alluvium from a nearby drainage, and from complex flow systems probably present in the White Mountains. Groundwater flow in the project area generally follows the topography, flowing to the east-southeast in alluvial fan soils and from north to south in the valley alluvium. The fault system that runs along the base of the White Mountains in the eastern portion of the property generally defines the eastern margin of the alluvial groundwater system.

VEGETATION

Vegetation in the Chalfant Valley is primarily desert scrub and sagebrush scrub. Cropland is located southeast of the community of Chalfant and north of the project site. Fish Slough, on the western side of the Chalfant Valley northwest of the project site, includes wetlands and grasslands. There are also scattered areas of riparian scrub located adjacent to springs and seeps at the base of the White Mountains and in drainages.

On the project site, vegetation cover is primarily diverse desert shrubs that form a regularly spaced uniform-appearing scrub (Paulus, 2004). Narrow dense patches of scrubby riparian vegetation dominated by willow are associated with artesian spring flow in gullies on the project site. The botanical study prepared for the project site identifies four plant communities on-site. Shadscale Scrub is the most widespread, occurring over 57.3 acres, approximately 82 percent of the site. The three remaining communities (Big Sagebrush Scrub, Modoc-Great Basin Riparian Scrub, and Transmontane Freshwater Marsh) occur in association with the fault zone's eroding scarp and the springs on-site; together they cover approximately 5.6 acres.

The project site also includes approximately 6.6 acres currently devegetated by disturbance, including an historic ore mining operation, irrigated agriculture (long abandoned), and recent scrapes associated with an existing water tank. The mapping of disturbed areas did not include

numerous existing dirt roads and ATV/motorcycle trails and track on-site. Ongoing disturbance by OHVs is reducing the area of intact desert pavement on-site, which increases the chance for non-native invasive weed species to occur. Non-native weed species occur in the disturbed areas and to a lesser degree throughout the project site.

The plant communities identified on-site are not considered sensitive. Single populations of three sensitive plant species were found on-site during the botanical survey. The three rare plant populations (*Astragalus argophyllus* var. *argophyllus*, *Ivesia kingii* var. *kingii*, and *Eriogonum shockleyi* var. *shockleyi*) were found completely within the Big Sagebrush Scrub habitat area.

WILDLIFE

Wildlife use in the Chalfant area is limited. The Mono County MEA identifies the corridor along Highway 6 as a light use area for mule deer (MEA Figure 20). MEA Figure 32L/M notes that mule deer use occurs primarily to the west and north of the community of Chalfant, not in the vicinity of the project site. No other wildlife species are identified in the MEA as using the area around the project site.

Wildlife observed on-site during the wildlife survey prepared for the project included a small number of birds, black-tailed jackrabbits, lizards, the tracks of coyotes, and evidence of rodent activity (JBR, 2004). California quail and mourning doves occur in the area, as well as ravens and sage sparrows. A Swainson's hawk was observed flying near trees located south of the eastern end of the property but no raptor nests were found on the parcel during the wildlife survey. Mule deer utilize the area in low numbers at least during the winter season and bighorn sheep are known to occur in the White Mountains to the east of the parcel. Several bat species were recorded in the area.

Small bird species also occur on the parcel. The highest diversity of bird species would be expected to occur during spring and summer when neotropical migrants arrive to nest in the area. The greatest diversity of wildlife on the site was noted in the area of the spring and the associated riparian vegetation.

No listed wildlife species were observed in the survey area. Habitats on the parcel appear to be marginal for sage grouse.

VISUAL RESOURCES

Visually, the Tri-Valley is very open, with sweeping vistas of the surrounding mountains. Development and agricultural uses are highly visible since the floor of the valley is relatively flat and there is limited screening vegetation. The Bureau of Land Management (BLM) establishes Visual Resource Management (VRM) classes for the public lands it manages in the area (MEA Figure 12 L/M). BLM lands to the west of Highway 6 are identified as VRM III, Moderate, which states that "Visual contrast caused by a management activity can be evident, but must remain subordinate to the characteristic landscape" (MEA, p. 114). BLM lands to the east of Highway 6, along the base of the White Mountains, are identified as VRM II, High, which states that "Visual contrast is permitted; management activity is seen, but it must not attract attention. Changes in any of the basic elements (form, line, color, texture) caused by the activity must not be visible in the characteristic landscape" (MEA, p. 114).

Highway 6 does not have a scenic highway designation. There are 60-110 kV transmission lines that run roughly parallel to Highway 6 on the west side of the highway, from Bishop to Chalfant.

Large transmission lines (>110 kV lines) run along the west edge of the valley from Bishop to south of Hammil where they shift to the northwest.

TRANSPORTATION/CIRCULATION

Highway 6, from the Inyo County line north of Bishop to the Nevada state-line north of Benton, is the major access to and through the Tri-Valley. It is also a major trucking route. Caltrans has identified the primary purpose of the route as interregional traffic, largely trucks (Mono County Regional Transportation Plan, p. 27). Major traffic concerns along Highway 6 include decreased visibility resulting from periodic dust storms, due to dust from plowed fields and from deposits from flash floods, and speeds throughout community areas, particularly as they affect vehicles entering and exiting the highway. The roadway is flat with few lateral obstructions to slow traffic; as a result, traffic, including the trucks, moves at high speed along Highway 6. Mono County, assisted by staff and resources from Caltrans, is conducting outreach to the community of Chalfant and creating a Community Plan. Along with general community issues, US 6 (including access) is being addressed.

Two-lane paved county maintained roads provide access to residential development from Highway 6. There are also a number of gravel and dirt non-county maintained roads throughout the Tri-Valley.

GEOLOGY AND SOILS

Soils throughout the Tri-Valley are Quaternary Alluvium (MEA Figure 15L/M), a deep and highly porous soil. The MEA identifies the Chalfant area as subject to wind erosion (MEA Figure 18F); the area east of Highway 6 is also subject to stream sheet rill erosion.

The MEA also identifies the area as MRA 2, an area where:

"... adequate information indicates that significant mineral deposits are present or where it is judged that there is a high likelihood for their presence. This area shall be applied to known mineral deposits or where well developed lines of reasoning, based upon economic geologic principles and adequate data, demonstrate that the likelihood for occurrence of significant mineral deposits is high" (MEA Figure 17 L/M).

The project site is located at the base of the White Mountains in an area of alluvial fan deposits derived from erosion of the bedrock located immediately to the east of the project site. The hydrogeology study for the project describes the geology in the area as follows:

"The geology in the vicinity of WME is characterized by alluvial fan deposits that area superimposed over valley fill deposits, both of Quaternary age. The alluvial fan deposits consist of poorly-sorted, unconsolidated gravel, sand, silt and clay. The valley fill deposits are composed of moderately to well-sorted unconsolidated lenses and layers of sand, silty sand and gravelly sand, and layers and lenses or massive beds of silty clay, originating mostly from detritus eroded from the bedrock mountains upslope to the east. Structurally, the WME property is situated within the Bishop Basin, one of two structural basins formed by a narrow, north-south trending steep-sided graben. The eastern side of the graben is delineated by the White Mountain Fault Zone" (Golden State Environmental, p. 3).

NOISE

The ambient noise level in the area is low. Highway 6 is located approximately 0.8 miles west of the project site; noise from traffic on the highway is minimal. Residential uses in the existing White Mountain subdivision immediately adjacent to the western edge of the project site are considered sensitive noise receptors and could be affected by noise impacts from the proposed project.

HAZARDS

The project site is located in an area identified as having a very high fire hazard (MEA, p. 304), as is most of Mono County.

FEMA Maps indicate that the project site is not within a 100-year flood zone (MEA Figure 38 L & M). However, the Drainage Report prepared for the project notes that the proposed project “lies within the path of a potentially dangerous flood zone...the adjacent canyons are capable of producing extremely high runoff flows, which a portion of flow directly through the project site” (Eastern Sierra Engineering, p. 7). These flows have the potential to wash out proposed roadways and/or flood home sites causing severe losses. The conservative drainage system design proposed in the Drainage Report would reduce potential risks with little impact to downstream facilities.

Portions of the project site are located within an Alquist-Priolo Fault Zone. Fault hazard studies prepared for the site revealed no faults on the western portion of the project site, APN 26-240-10, where 39 single-family residences are proposed for development. The eastern portion of the project site, APN 26-240-09, is entirely within an Alquist-Priolo Fault Zone established for the White Mountain Frontal Fault. Five significant active faults and countless subsidiary shears and cracks are known to exist and have been mapped within the boundaries of the project site. Aerial photographs and site reconnaissance indicated evidence of active faulting across the subject site.

Potential secondary hazards associated with a relatively large earthquake include ground rupture, ground lurching, ground shaking, liquefaction, lateral spreading and dynamic settlement, and slope failures and landslides. The fault hazard studies for the project address the potential for each of these hazards and provide methods of avoiding or minimizing the hazard. Habitable and non-habitable areas are delineated on the Site Geologic Map for the project.

DEVELOPMENT AND CONSERVATION ISSUES ADDRESSED IN THE PLAN

The White Mountain Estates Specific Plan addresses the following development and conservation issues:

Environmental Conditions

1. Issues related to water, i.e.:
 - water consumption by the project;
 - impacts on existing wells and the surrounding water table;
 - water pressure/fireflow issues;
 - connection of the proposed water system to other water systems in the area;

- septic system impacts on water quality; and
 - potential cumulative water quantity and quality impacts in the area.
2. Impacts related to runoff and drainage.
 3. Sensitive plant species and plant communities (riparian, wetlands) located on the project site.
 4. Impacts related to the fault system located on the project site.
 5. Traffic impacts resulting from the development.

Infrastructure Constraints

6. Impacts to public services (transfer station, schools, phone lines, mail) and emergency services (paramedic, fire protection, sheriff) in the area.

Regulatory and Policy Constraints

7. Aesthetic issues related to the rural character of the area, i.e.:
 - the project should "allow for the continuation of growth in Chalfant in a manner that promotes and protects its rural and agricultural character" (Mono County Land Use Element, Tri-Valley policies, Objective C, Policy 1); and
 - the "look" of the development should remain rural (development layout, building styles and materials).

RELATIONSHIP BETWEEN THE POLICIES AND REGULATIONS IN THE SPECIFIC PLAN

The White Mountain Estates Specific Plan contains policies pertaining to the planned type, intensity, and location of development on the project site. It also contains development standards, design standards, and conservation standards intended to implement the proposed development. The White Mountain Estates Specific Plan will be subject to the provisions of the Mono County Land Development Regulations, unless an alternative regulation or standard is specified in the Specific Plan. These regulations will apply to all development in the Specific Plan area and will be effective following adoption of the Specific Plan. Alternative regulations in the Specific Plan are intended to be consistent with the Mono County Land Development Regulations and with the Subdivision Ordinance, and to implement those regulations for the project parcel.

HOW THE SPECIFIC PLAN'S POLICIES AND REGULATIONS ACCOMPLISH THE OBJECTIVES OF THE PLAN

The overall objective of the proposed project is to increase the amount of single-family housing in the Chalfant Valley in a manner that minimizes impacts to surrounding public lands. The proposed project would provide 45 single-family residential lots (minimum lot size ½ acre), one utility lot for water and propane tanks, three lots for open space uses, and a remainder parcel that allows one single-family residence.

The policies and regulations contained in the Specific Plan accomplish that objective by stating where specific types of development may occur on the property and specifying how that development may occur in order to ensure that the project complies with federal, state, and local planning and environmental policies and regulations.

RELATIONSHIP OF THE SPECIFIC PLAN TO THE GENERAL PLAN

The Mono County General Plan contains policies for the unincorporated areas of Mono County. Area plan policies contained in the General Plan provide policy direction for specific community areas in the county; the Tri-Valley policy section in the Mono County Land Use Element addresses development in Chalfant.

The White Mountain Estates Specific Plan contains detailed direction for implementation of General Plan policies on a specific parcel in the Chalfant Valley. The Specific Plan has been designed to be consistent with the Mono County General Plan, in compliance with state planning law. The overall density of 1.5 acres per dwelling unit complies with the density requirements in the Chalfant Valley section of the General Plan.

RELATIONSHIP OF THE SPECIFIC PLAN TO NEIGHBORING PLANS AND THOSE OF OTHER JURISDICTIONS

There are no neighboring plans affected by the proposed White Mountain Estates Specific Plan. The proposed Specific Plan is consistent with the Sphere of Influence Report for the Chalfant Fire Protection District that includes the project site within the sphere of influence boundaries for the district. The Specific Plan has also been designed to complement the policies for surrounding public lands managed by the Bureau of Land Management (BLM).

The proposed Specific Plan has also been designed to be consistent with the requirements of the Lahontan Regional Water Quality Control Board's Water Quality Control Plan, with requirements of the Great Basin Unified Air Pollution Control District, and with requirements of Caltrans District 9.

PROJECTS REQUIRED BY LAW TO BE CONSISTENT WITH THE SPECIFIC PLAN

The proposed White Mountain Estates Specific Plan includes the required redesignation of the parcel from Rural Mobile Home (RMH) to Specific Plan (SP), the required Tentative Tract Map, the design of on-site infrastructure including the water system, storm drainage system, and roads, and the development of single-family residences. There are no additional "projects".

There are future permits that will be required to be consistent with the Specific Plan, including the final grading permit, encroachment permits from Mono County, and building permits.

II. LAND USE PLANNING AND REGULATORY PROVISIONS

LAND USE PLAN

The Land Use Plan for the White Mountain Estates Specific Plan establishes policies pertaining to the planned type, intensity, and location of development on the project site. The policy section establishes objectives, policies, and programs to guide development on-site. The Land Use Designation section provides details on planned land uses, the characteristics of each land use designation, development standards, and conservation standards.

LAND USE OBJECTIVES, POLICIES, & PROGRAMS

This section establishes land use objectives, policies, and programs to guide development on APN 26-240-09 and APN 26-240-10 in the Chalfant Valley, Mono County, California.

LAND USE

Objective 1 Provide single-family residential uses and areas for utilities and open space to meet community needs.

Policy 1-A Designate areas for Single-Family Residential (SFR) with a half-acre minimum lot size, Utility (U), and Open Space (OS) as shown on the Land Use Plan (Appendix A, Map Set, Figure 2). Gross densities shall not exceed 1 unit per acre.

Program 1-A Implement the Single-Family Residential (SFR) and Open Space (OS) designations from the Mono County Land Use Element (Chapter IV), as amended herein. Implement the Utility (U) designation included in this Specific Plan.

Policy 1-B Allow forty-five (45) single-family lots, one utility lot, three open space lots, and a remainder parcel on APN 26-240-09 and 26-240-10. An overall project density of 1 unit per acre shall be maintained throughout the life of the project.

Program 1-B Approve Tentative Tract Map 37-46 to subdivide APN 26-240-09 and 26-240-10 into forty-five (45) single-family lots with a minimum lot size of ½ acre, one lot for utility uses, three lots for open space uses as shown on Tentative Tract Map 37-46, and a remainder parcel (see Appendix A, Map Set). Parcels in Phase II are subject to the minimum parcel sizes shown on Tentative Tract Map 37-46, Sheet 3 of 6, i.e.:

Lot 40 = 34,731 square feet

Lot 41 = 2.55 acres

Lot 42 = 1.2 acres

Lot 43 = 1.05 acres

Lot 44 = 1.07 acres

Lot 45 = 4.79 acres

Policy 1-C Limit future development on the remainder parcel.
Program 1-C Allow one single-family residence on the remainder parcel, with one connection to the community water supply system. Any additional density shall require regulatory approval through the Specific plan process with associated CEQA documents. Any potential impacts to the spring or the surrounding riparian habitat areas associated with additional density on the remainder parcel shall be avoided or fully mitigated. Designate the remainder parcel Specific Plan/Single-Family Residential (SP/SFR).

Policy 1-D Develop the project in phases to ensure that adequate services and infrastructure are available to serve the proposed development.

Program 1-D The project shall be developed in the following phases:

- Phase I: Infrastructure installation (including installation of water system components for lots 1-39 and propane tanks on the lot designated for utility uses) required for the construction of residential lots 1-39 and the construction of homes on residential lots 1-39.
- Phase II: Infrastructure installation required for the construction of residential lots 40-45 (including water system components for lots 40-45) and the remainder parcel and the construction of homes on residential lots 40-45 and the remainder parcel. If the remainder parcel is sold to a private party for residential construction purposes or the developer constructs or places a residential home on the property, all utilities shall be installed.

Figure 3, Phasing Plan (see Appendix A, Map Set) shows the proposed project phasing.

HOUSING

Objective 2 Provide moderate density single-family housing in the Tri-Valley to meet the needs of local residents.

Policy 2-A Allow the development of forty-six (46) single-family residences on-site.
Program 2-A Develop forty-six (46) single-family residences on-site in compliance with the requirements of this Specific Plan and the Mono County General Plan and Land Development Regulations.

~~**Policy 2-B** Ensure an adequate supply of locally available affordable housing.
Program 2-B The project shall provide two affordable housing units that meet the following criteria:
1) The project shall provide one affordable housing unit that meets the following criteria:
a) At a minimum, the first unit shall be a two (2) bedroom, 1,200 square foot single family unit with a two-car garage;
b) The first sale of this affordable unit shall be made to buyer(s) qualifying for financing under the Federal Housing Authority (FHA) lending criteria for those having an income no greater than 120 percent of adjusted median income (AMI);~~

- ~~c) Any resale of this unit (the second owner, third owner, etc.) shall be made to buyer(s) qualifying for financing under the Federal Housing Authority (FHA) lending criteria for those having an income no greater than 120 percent of adjusted median income (AMI), based on the AMI and FHA criteria at time of resale;~~
- ~~d) The restrictions on sales prices listed in subsections b and c shall be listed in the deed for this unit; and~~
- ~~e) Additional resale incentives may be offered to the seller of the unit, consistent with resale incentives provided to other like properties within the County, at the discretion of the County.~~
- 2) ~~The project shall provide a second affordable housing unit that meets the following criteria:~~
 - ~~a) At a minimum, the second unit shall be a three (3) bedroom, 1,200 square foot single family unit with a two car garage;~~
 - ~~b) The first sale of this affordable unit shall be made to buyer(s) qualifying for financing under the Federal Housing Authority (FHA) lending criteria for those having an income no greater than 100 percent of adjusted median income (AMI);~~
 - ~~c) Any resale of this unit (the second owner, third owner, etc.) shall be made to buyer(s) qualifying for financing under the Federal Housing Authority (FHA) lending criteria for those having an income no greater than 100 percent of adjusted median income (AMI), based on the AMI and FHA criteria at time of resale;~~
 - ~~d) The restrictions on sales prices listed in subsections b and c shall be listed in the deed for this unit; and~~
 - ~~e) Additional resale incentives may be offered to the seller of the unit, consistent with resale incentives provided to other like properties within the County, at the discretion of the County.~~
- 3) ~~The affordable housing units must be developed and sold during Phase I of the development. The first affordable housing unit shall have a certificate of occupancy at the issuance of a building permit for the 12th unit. The second affordable housing unit shall have a certificate of occupancy at the issuance of a building permit for the 22nd unit.~~

- Policy 2-C** Allow a maximum of eight (8) secondary housing units within the development.
- Program 2-C Secondary units may be allowed when they meet the following criteria:
- a) They meet the requirements of Chapter 16, Development Standards – Secondary Units, of the Mono County Land Development Regulations.
 - b) They meet the requirements of the Mono County Environmental Health and the Lahontan Regional Water Quality Control Board.

OPEN SPACE

- Objective 3** Design the project to provide open space for resource preservation and for low-intensity recreational opportunities.

- Policy 3-A** Provide open space areas within the development.
- Program 3-A Maintain the open space areas shown on the Land Use Plan (Appendix A, Map Set, Figure 2). Uses permitted within the open space areas are indicated in the

Open Space (OS) land use designation in this chapter. No structures shall be permitted within the Open Space designation, except on Lot A. The lots designated Open Space (OS) shall be deed-restricted to prohibit any uses other than open space uses.

Note: Open space uses on Lots C and D are restricted to passive non-motorized recreational uses. Additional non-residential open space uses are allowed on Lot A as noted in the Open Space (OS) land use designation in this chapter.

Policy 3-B Maintain wildlife access to the spring.
Program 3-B Designate a conservation easement on the remainder parcel and Lot D to protect wildlife access to the spring and the riparian areas. The conservation easement shall include a minimum setback of 100 feet on all sides from the spring and the riparian areas. No disturbance of any kind, including fencing, shall be allowed within the conservation easement. No uses other than passive non-motorized recreational activities shall be allowed within the conservation easements. No large domestic animals, i.e. horses, cattle, llamas, etc., shall be allowed within the conservation easement. The conservation easement shall be established prior to recording the Final Tract Map. The remainder parcel and Lot D shall be deed restricted to maintain the conservation easement in perpetuity and restrict uses within the area covered by the conservation easement.

This conservation easement shall expire for the remainder parcel only upon trade or purchase by a public agency or land trust (i.e. the conservation easement shall remain in perpetuity for the portion of the easement located on Lot D).

UTILITIES

Objective 4 Ensure that the project provides adequate infrastructure, including utilities, to serve the needs of the development. Infrastructure may be phased as permitted under Land Use Program 1-D.

Policy 4-A Ensure that adequate sites are available within the development to meet all identified utility needs.

Program 4-A Develop and maintain the utility area shown on the Land Use Plan (Appendix A, Map Set, Figure 2). Uses permitted with the utility area are indicated in the Utilities (U) land use designation in this chapter. The lot designated Utilities (U) shall be deed-restricted to prohibit any uses other than utilities.

LAND USE DESIGNATIONS

The proposed land use designations for the White Mountain Estates Specific Plan are the Mono County General Plan land use designations of Single-family Residential with a ½ acre minimum lot size, Open Space, and Specific Plan. The Specific Plan also includes a new land use designation, Utilities. The permitted uses and development standards for each district are listed on the following pages. Other requirements from the Mono County Land Development Regulations may apply as stated in the descriptions of the land use designations. Figure 2 in the Map Set (see Appendix A), Land Use Plan, provides a diagram of the proposed land uses.

Single-Family Residential (SFR)

INTENT

The SFR district is intended to provide for the development of single-family dwelling units in community areas.

PERMITTED USES

- Single-family dwelling
- Accessory buildings and uses¹
- Animals and pets (see Land Development Regulations, Animal Standards Section 04.270)
- Home occupations (see Land Development Regulations, Home Occupation regulations, Section 04.290)

USES PERMITTED SUBJECT TO DIRECTOR REVIEW

(see Land Development Regulations, Director Review Processing, Ch. 31)

- Secondary unit in compliance with the Land Development Regulations, Ch. 16, Development Standards-Secondary Units, Mono County Environmental Health requirements, and Lahontan Regional Water Quality Control Board requirements
- A maximum of eight (8) lots may be designated to allow for the construction of secondary housing units

DEVELOPMENT STANDARDS

Minimum Lot Size: ½ acre

Parcels in Phase II are subject to the minimum parcel sizes shown on Tentative Tract Map 37-46, Sheet 3 of 6, i.e.:

Lot 40 = 34,731 square feet	Lot 43 = 1.05 acres
Lot 41 = 2.55 acres	Lot 44 = 1.07 acres
Lot 42 = 1.2 acres	Lot 45 = 4.79 acres

Minimum Lot Dimensions: Width - 60 feet Depth - 100 feet

Maximum Site Disturbance: 40 percent

Minimum Setbacks: **Front:** 20 feet **Rear:** 10 feet **Side:** 10 feet

(Side yards may not be reduced in accordance with Land Development Regulations, Table 4.090, Special Yard requirements.)

All buildings on adjoining lots shall be a minimum of 30 feet apart. For lots 1-8, the rear yard setback shall be 30'. For lot 25, the western side yard setback shall be 30'. For all other lots less than one acre in size the side and rear yard setbacks shall be 15'.

Note: The rear yard setbacks may be reduced for lots 1-8 and the western side yard setback may be reduced for lot 25, if existing buildings on the adjoining lots within the existing subdivision have at least a 15' setback from the applicable rear or side property lines. If a property within the existing subdivision that adjoins lots 1-8 or 25 is vacant, the applicable rear or side yard setback shall be 30'.

Building Density: 1 dwelling unit per lot and eight secondary units as specified above

Animal Standards: Large animals (e.g. horses, llamas) shall be allowed only on lots larger than one acre in size.

NOTES

1. Accessory buildings and uses customarily incidental to a single-family residence in a rural community when located on the same lot and constructed simultaneously with or subsequent to the main building.

Open Space (OS)

INTENT

The OS designation is intended to protect and retain open space for future generations. These lands may be valuable for resource preservation (e.g., visual open space, botanical habitat, stream environment zones, etc.), low-intensity recreational uses, mineral resources, or other reasons.

PERMITTED USES

- Passive, non-motorized recreational activities, e.g. hiking, bird watching, wildlife viewing, horseback riding
- Wildlife-friendly fencing
- Informational signs relating to use of the parcel

USES PERMITTED SUBJECT TO DIRECTOR REVIEW (Director Review Processing, Ch. 31)

None stated

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

None stated

ADDITIONAL USES PERMITTED FOR LOT A

The following uses are permitted on Lot A in addition to those listed above:

- Accessory buildings and uses, including storage structures, corrals, barns, stables and farm buildings (subject to use permit)
- Crop and tree farming
- Non-paved access roads

PROHIBITIONS

No structures other than wildlife-friendly fencing shall be permitted within the Open Space designation except on Lot A. No residential uses are permitted. Lots designated Open Space (OS) shall be deed-restricted to prohibit any uses other than open space uses.

DEVELOPMENT STANDARDS

- Minimum Parcel Size:** None
Minimum District Area: At least 15.33 acres
Maximum Site Disturbance: 10 percent (includes lot coverage)

NOTES

1. Uses may have been omitted from the list of those specified, hence the Commission may find other uses to be similar and not more obnoxious or detrimental to the public health, safety and welfare. See explanation of interpreting "similar uses" Chapter 4, Uses not listed as permitted.

Specific Plan (SP)

The SP designation is intended to provide for development in areas outside of existing communities, or on large parcels of land within or adjacent to existing communities. The Specific Plan designation may also be applied to an area to provide direction for potentially conflicting or incompatible land uses.

PERMITTED USES

- Permitted uses will be determined by the Specific Plan in accordance with Government Code § 65451 and applicable provisions of the Mono County General Plan, the Land Development Regulations, and the Mono County Code.

DEVELOPMENT STANDARDS

- Development standards (e.g., building densities, site disturbance/lot coverage, setbacks, etc.) will be determined by the Specific Plan in accordance with Government Code § 65451 and applicable provisions of the Mono County General Plan, the Land Development Regulations, and the Mono County Code.

Utilities (U)

INTENT

The U designation is intended to provide areas for utilities and associated infrastructure within new developments.

PERMITTED USES

- Wells and associated structures
- Water storage tanks
- Community propane tanks
- Stormwater and/or drainage system components or facilities
- Other utilities and infrastructure necessary for the development

USES PERMITTED SUBJECT TO DIRECTOR REVIEW (Director Review Processing, Ch. 31)

None stated

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

None stated

PROHIBITIONS

Lots designated Utilities (U) shall be deed-restricted to prohibit any uses other than utilities.

DEVELOPMENT STANDARDS

Minimum Parcel Size:	None
Minimum District Area:	None
Maximum Site Disturbance:	None
Minimum Setbacks:	None

NOTES

1. Uses may have been omitted from the list of those specified, hence the Commission may find other uses to be similar and not more obnoxious or detrimental to the public health, safety and welfare. See explanation of interpreting "similar uses" Chapter 4, Uses not listed as permitted.

LAND DEVELOPMENT REGULATIONS

The White Mountain Estates Specific Plan will be subject to the provisions of the Mono County Land Development Regulations unless an alternative regulation or standard is specified in the Specific Plan. The purpose and intent of the Mono County Land Development Regulations is to:

- A. regulate development as allowed by Government Code 65850, including the following:
 1. The use of buildings, structures, and land as between industry, business, residences, and open space uses.
 2. Signs and billboards.
 3. The location, height, bulk, number of stories, and size of buildings and structures.
 4. The size and use of lots, yards, and other open spaces.
 5. The percentage of a lot which may be occupied by impervious surfaces.
 6. The intensity of land use.
 7. Requirements for off-street parking and loading.
 8. Establishment and maintenance of setback lines.
- B. These regulations are deemed necessary in order to implement the County's General Plan as summarized in the following objective:

Accommodate future growth in a manner that preserves and protects the area's scenic, agricultural, natural and recreational resources and that is consistent with the capacities of public facilities and service.

(Mono County Land Development Regulations, Chapter 1, General Provisions--Introductory Provisions).

These regulations will apply to all development in the Specific Plan area and will be effective upon adoption of the Specific Plan. Alternative regulations in the Specific Plan are intended to be consistent with the Mono County Land Development Regulations, and with the Subdivision Ordinance, and to implement those regulations for the project parcel.

Development standards for the proposed land use designations are listed in each of the designations in the prior section of this chapter. Cross-references to additional pertinent sections of the Land Development Regulations are also listed in each land use designation.

DESIGN STANDARDS

Development within the White Mountain Estates Specific Plan area will be subject to the following design standards:

- **Access and Roads**
 - DS-1 Project roads and access points shall conform to the applicable Mono County Road Improvement Standards.
 - DS-2 The project shall not include curbs or sidewalks.
 - DS-3 To provide pedestrian and bicycle access throughout the subdivision, including to the mailboxes and bus stop, subdivision streets shall be constructed with a wider paved section. Working outward from the centerline, each street section shall consist of a 10-foot wide travel lane, a fog line, a four-foot wide paved shoulder, a two-foot wide compacted Class II aggregate base shoulder, and (where applicable) a drainage ditch. These road specifications shall be included on the Final Tract Map.

DS-4 At a minimum, the encroachment from each lot to the adjacent public road shall be paved. This requirement shall be reiterated in the CC & Rs for the project.

DS-5 Driveway access shall meet fire-safe standards and shall not exceed a sixteen (16) percent grade.

- **Parking**

DS-6 Each single-family residence shall provide two off-street parking spaces in compliance with the Mono County Land Development Regulations, Chapter 6, Development Standards--Parking. This requirement shall be reiterated in the CC & Rs for the project.

- **Lighting**

DS-7 The project shall not have streetlights unless required for safety at intersections. Streetlights shall be shielded and directed so that no light emanates beyond the street.

DS-8 Exterior lighting at individual residences shall be limited to that necessary for safety reasons. Exterior lighting shall be concealed, high intensity lighting shall be avoided, and lighting shall be shielded and directed so that it does not emanate beyond the boundaries of each individual lot. This requirement shall be reiterated in the CC & Rs for the project.

- **Building Design**

DS-9 Housing installed on-site by White Mountain Estates LLC may be either factory-built or traditional stick-built housing. There shall be at least 3 floor plans available and at least 2 exterior elevations per floor plan.

DS-10 Any factory-built housing installed on the site, whether by the developer or subsequent property owners, shall be on an engineered load-bearing foundation system on top of a concrete footing. This requirement shall be reiterated in the CC & Rs for the project.

DS-11 The scale and design of structures, fences and signs shall harmonize with existing development in the area and with the surrounding natural environment. Fencing shall be wildlife-friendly.

- **Building Height**

DS-12 Building heights for residential development shall be limited to a maximum of 35 feet from any given point above grade. All heights shall be calculated from the natural grade or finished grade, whichever is more restrictive. This requirement shall be reiterated in the CC & Rs for the project.

- **Building Materials**

DS-13 In compliance with Mono County's minimum development standards, the color, design, and type of building materials for structures, fences, and signs shall be aesthetically compatible with the natural environment and/or surrounding community. Reflective materials shall not be allowed. Colors shall be muted earth tones, i.e. dark tans, browns, grays, or greens. Roof colors shall be muted, non-reflective dark earth tones, i.e. brown, green. Building materials shall have an

appearance compatible with the surrounding environment, e.g. wood, stone, or stucco. This requirement shall be reiterated in the CC & Rs for the project.

- **Signs**
 - DS-14 The project shall comply with the provisions of the Mono County Sign Ordinance, Chapter 7 of the Land Development Regulations, specifically with Section 07.020 (D), Real Estate Signs.
 - DS-15 Individual illuminated house number signs are required in compliance with the Mono County Fire Safe Standards, Chapter 22 of the Land Development Regulations.

- **Utilities**
 - DS-16 All utilities (electrical, communication lines, water distribution lines, propane distribution line, etc.) shall be installed underground in conformance with applicable provisions of the Mono County Land Development Regulations. All service connections shall be placed so that public roadways will not have to be cut up for service connections to future residences.
 - DS-17 All utilities shall be installed to all parcels within each development phase prior to the occupancy of any structure constructed on any parcel within that development phase.
 - DS-18 Mailboxes shall be clustered and shall be installed by White Mountain Estates LLC at a location approved by the Public Works Department and the US Postal Service. Prior to approval of the Final Tract Map, the applicant shall provide a letter from the US Postal Service and the Mono County Department of Public Works stating their approval of road names and cluster box locations for the development. The location of the mailboxes shall be shown on the Final Tract Map. The mailboxes shall be painted a muted dark earth tone (i.e. tan, green, brown, gray) that blends in with the surrounding environment and is non-reflective.

- **Landscaping/Screening**
 - DS-19 In compliance with Mono County's minimum development standards, visually offensive land uses such as the production well(s), water storage tanks, and propane tanks shall be adequately screened through the use of landscaping, fencing, contour grading, or other appropriate measures, including the use of an appropriate paint color and finish that blends into the surrounding visual environment. Paint color and finish shall be approved by the Planning Director. Landscaping shall occur as shown on the Master Landscape Plan in Appendix A, Map Set.
 - DS-20 Landscaping installed by the developer shall comply with the Landscape Plan prepared for the White Mountain Estates Specific Plan (see Figure 8 in Appendix A, Map Set). A detailed landscape plan, prepared in accordance with Mono County's Landscape and Revegetation Requirements, shall be prepared, reviewed by the Planning Commission and approved prior to approval of the Final Tract Map. The landscape plans shall include requirements for irrigation and maintenance of the landscaping installed by the developer.
 - DS-21 Landscaping on individual residential lots shall be predominantly xeriscape (i.e. 65 percent of the landscaped area on an individual lot shall be xeriscape) and fire safe. The requirement for xeriscapic and fire safe landscaping shall be reiterated in the CC & Rs for the project.

Xeriscape means a dry landscape or a landscape requiring low irrigation and low maintenance. Many of the plants may not require any irrigation once they are

established; others may require only limited drip irrigation. Xeriscape landscaping incorporates several basic principles that lead to saving water:

- Soil preparation. Amending soil, particularly in areas for shrubs and flowers, will improve the soil's water-holding capacity and reduce water consumption.
- Plant selection. Selecting trees, shrubs and groundcovers based on their adaptability to a region's soil and climate will reduce irrigation and maintenance requirements.
- Efficient irrigation. The use of efficient irrigation methods, such as drip irrigation and timed watering systems, will also reduce water consumption.
- Mulch. Using mulch in flower and shrub beds and around the base of trees will prevent water loss from the soil through evaporation and increase water penetration during irrigation.
- Maintenance. Appropriate maintenance (pruning, weeding, fertilization, pest control, irrigation) increases the health of plants and decreases the need for water.

Information on fire safe landscaping can be obtained from the Mono County Land Use Regulations, Chapter 22, Fire Safe Regulations, and from the Eastern Sierra Regional Fire Council (www.easternsierrafirecouncil.org). Fire safe landscaping includes maintaining a defensible perimeter around structures and using plants with a high moisture content and low resin or oil content. The Fire Safe Plant Guide (see Appendix D in the DEIR) issued by the Eastern Sierra Regional Fire Safe Council provides a list of Fire Safe plants that are available and grow well in the Eastern Sierra.

CONSERVATION STANDARDS

Development within the White Mountain Estates Specific Plan area will be subject to the following conservation standards:

- **Noise**
 - CS-1 Construction shall be limited to daylight hours in accordance with the Mono County Noise Regulations (Mono County Code Section 10.16) in order to minimize impacts to nocturnal wildlife species and adjacent sensitive noise receptors.
 - CS-2 Noise levels during all construction activities shall be kept to a minimum by equipping all on-site equipment with noise attenuation devices and by compliance with all requirements of the Mono County Noise Regulations (Mono County Code Section 10.16).
 - CS-3 During all construction activities, all stationary construction equipment shall be placed so that emitted noise is directed away from sensitive receptors nearest the project site, i.e. residential uses in the existing White Mountain Estates subdivision.
 - CS-4 During all construction activities, equipment staging areas shall be located the greatest distance possible from the nearest sensitive noise receptors, i.e. residential uses in the existing White Mountain Estates subdivision.

- **Air Quality**
 - CS-5 Only energy star rated heating systems and appliances shall be installed in the residences. No units shall have wood burning appliances as the primary heating source.
 - CS-6 In compliance with Mono County General Plan policies, any wood-burning appliances installed in the project shall be Phase II EPA certified (Mono County General Plan, Conservation/Open Space Public Health and Safety policies, Objective A, Action 6.1). This requirement shall be reiterated in the CC & Rs for the project.
 - CS-7 An air quality permit shall be obtained from the Great Basin Unified Air Pollution Control District.
 - CS-8 A final Grading Plan, based on the preliminary grading and drainage plan in this document, must be approved by the Mono County Department of Public Works prior to recording the Final Tract Map. The Grading Plan must include erosion control and stormwater management BMPs. Grading shall be minimized; structures shall be designed to fit the site.
 - CS-9 Building envelopes and driveways shall be established on the Final Tract Map for all lots adjacent to drainage channels, all lots affected by Alquist Priolo fault hazards, and lots on which Secondary Units may be allowed. The land use plan shall also indicate lots where Secondary Units may be allowed. On lots larger than one acre in size, where large animals such as horses are allowed, animal confinement areas shall also be established on the Final Tract Map in order to reduce site disturbance, protect vegetation, and to ensure that there is sufficient area for the leach field, replacement field, and animal areas.
 - CS-10 Building envelopes for each residential parcel shall be located to avoid development on ridgetops or ridgetops, when feasible, and to minimize cut and fill.
 - CS-11 In order to minimize the potential for dust erosion and visual impacts, land disturbance (grading, cut and fill) for road construction, infrastructure installation,

and building construction shall be limited to the areas identified on the Final Tract Map for roads, utilities, buildings, and driveways.

- CS-12 Dust generated during construction shall be controlled by the use of watering or other Best Management Practices. All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering shall occur at least twice daily with complete coverage.
- CS-13 Speed limits on the construction site shall be reduced to minimize dust and windborne erosion.
- CS-14 Construction materials (rock, debris, etc.) that are not utilized as road fill shall be removed to a permitted landfill or other approved site.
- CS-15 The project proponent shall prepare a Stormwater Pollution Prevention Plan (SWPPP) and submit a Notice of Intent to comply with provisions of the State Water Resources Control Board's Stormwater NPDES Permit for Construction Activities.
- CS-16 All clearing, grading, earth moving, or excavation activities shall cease during periods of high winds (i.e. greater than 25 miles per hour averaged over one hour).
- CS-17 Adjoining streets shall be washed or swept clean of tracked-out vehicle dirt.
- CS-18 All material transported on-site or off-site shall be sufficiently watered or securely covered to prevent excessive amounts of dust.
- CS-19 All trucks hauling excavated or graded material off-site shall comply with State Vehicle Code Section 23114, which contains requirements for covering loads so materials do not blow or fall from a truck.

- **Wildlife**

- CS-20 Domestic animals shall be restrained at all times, either through the use of leashes or private fenced yards. No animals shall be allowed to be free roaming. Fencing shall be wildlife-friendly. This requirement shall be reiterated in the project CC & Rs.
- CS-21 Dogs on the project site during construction must be under the direct control of the owner at all times.
- CS-22 Construction shall be limited to daylight hours in accordance with the Mono County Noise Regulations (Mono County Code Section 10.16) in order to minimize impacts to nocturnal wildlife species and adjacent sensitive noise receptors.

- **Vegetation**

- CS-23 Land uses on Lot D shall be limited to non-motorized passive recreational activities (e.g. hiking, birdwatching, wildlife viewing, horseback riding) and signs shall be posted at the entrances to the parcel reiterating the prohibition on motorized vehicles.
- CS-24 Any additional density on the remainder parcel beyond one single-family residential unit with one connection to the community water supply system shall require regulatory approval through the Specific Plan process with associated CEQA documents. Any potential impacts to the spring or surrounding riparian habitat areas identified in the CEQA documents shall be avoided or fully mitigated.
- CS-25 If vegetation clearing is required during the avian breeding season, a qualified biologist, paid for by the developer, shall survey the area affected and if active nests are located, a protective buffer of 100 feet shall be established around the nests to be avoided until the young have fledged.
- CS-26 During construction, project boundaries shall be clearly delineated in order to avoid disturbances to surrounding off-site vegetation and soils.

- CS-27 The project proponent shall revegetate disturbed areas resulting from roadway construction, infrastructure installation, and earthquake fault trenching. Revegetation shall utilize local seed mixes and/or native plants and shall be conducted immediately following construction. Revegetated areas shall be irrigated as needed and maintained until the plants are established.
- CS-28 To deter the spread of weeds, stockpiled topsoil shall be covered and disturbed areas shall be revegetated immediately following construction.
- CS-29 Landscaping shall be utilized to minimize potential visual impacts resulting from development (e.g. water and propane tanks) and to minimize erosion. Landscaping on individual residential lots shall be predominantly xeriscape (i.e. 65 percent of landscaping on an individual lot shall be xeriscape) and fire safe. The requirement for xeriscapic and fire safe landscaping shall be reiterated in the CC & Rs for the project. See DS-21 for specific provisions regarding xeriscape and fire safe landscaping.
- CS-30 The project proponent shall work with LADWP and BLM to identify authorized trail/route access from the community across adjacent LADWP and BLM lands. Where feasible, existing roads/trails shall be used. The route(s) shall be identified prior to approval of the final tract map and shall be marked with signs at the property boundary. The signs shall be installed prior to the development of any housing and shall inform recreational users of LADWP and BLM lands of prohibited uses on those lands. The Homeowner's Association shall be responsible for maintaining the signs. The CC & Rs for the project shall inform all residents of BLM policies that prohibit cross-country vehicle use on adjacent public lands and limit that vehicle use to designated roads and trails. Access points shall be finalized and shown on the map prior to recording the final tract map.
- CS-31 The project proponent shall work with LADWP and BLM to place signs along the public land/private subdivision boundary along the north and south sides of the project site in order to reduce trespass on public lands. The Homeowner's Association shall be responsible for maintaining the signs. The signs shall be installed prior to the development of any housing. Access points shall be finalized and shown on the map prior to recording the final tract map.

- **Cultural Resources**

- CS-32 The project proponent shall stop work and the County and local Native American tribal contacts if archaeological evidence and/or human remains or unmarked cemeteries are encountered during ground-disturbing activities. No disturbance of such a site shall be permitted until such time as the applicant hires a certified archaeologist and an archaeological survey that identifies acceptable site mitigation measures is filed with the County Planning Department.

Native American monitors shall be onsite during the archaeological survey to ensure the proper identification and care of cultural resources. The disposition of any recovered artifacts shall be made in consultation with local tribal contacts. In the event of the accidental discovery of human remains, Health and Safety Code §7050.5, Public Resources Code §5097.98, and CEQA Guidelines §15064.5 (d) shall be consulted for the proper procedure to follow.

Road construction/grading plans shall include a copy of this mitigation measure.

- **Geology and Soils**

CS-33 The applicant shall be required to submit a soils report or process a soils waiver report. Any such report or waiver shall be reviewed and approved by the Director of Public Works, according to the provisions of Mono County Code Section 17.36.090.

CS-34 All development on-site (structures, utilities) shall comply with the requirements of the Uniform Building Code for Seismic Zone 4.

Note: See Air Quality Conservation Standards for additional standards that address geology and soils.

- **Hazards**

CS-35 The project shall comply with all requirements of the Chalfant Valley FPD and shall obtain a will serve letter from the FPD prior to approval of the Final Tract Map.

CS-36 Development on-site shall be designed and constructed to minimize off-site runoff impacts. A stormwater drainage system shall be constructed and maintained on-site, as shown in Figure 5 in Appendix A, Map Set.

CS-37 The project shall comply with the following minimum requirements in order to increase fire safety:

- All buildings on adjoining lots shall be a minimum of 30 feet apart. For lots 1-8, the rear yard setback shall be 30'. For lot 25, the western side yard setback shall be 30'. For all other lots less than one acre in size the side and rear yard setbacks shall be 15'.

Note: The rear yard setbacks may be reduced for lots 1-8 and the western side yard setback may be reduced for lot 25, if existing buildings on the adjoining lots within the existing subdivision have at least a 15' setback from the applicable rear or side property lines. If a property within the existing subdivision that adjoins lots 1-8 or 25 is vacant, the applicable rear or side yard setback shall be 30'.

- Each house/parcel shall have a standardized propane shutoff box.
- The propane tanks for the project shall be located on the lot designated for utility uses.
- The facilities for the propane tanks shall include a containment facility and automatic shutoff valves.
- The project shall have illuminated house numbers on each residence.
- The Fire District shall review the hydrant plan prior to approval of the Final Tract Map.
- A hydrant shall be installed by the water tanks.

- **Visual Resources**

CS-38 Visual resources in the project area shall be conserved through implementation of the design standards and the Landscaping Plan contained in this plan.

- **Water Resources**

CS-39 All landscaping on-site shall be predominantly xeriscape and fire safe in compliance with Design Standard DS-21.

- CS-40 Water conserving fixtures shall be installed in all development on-site, including all residential structures and irrigation systems. This requirement shall be reiterated in the CC & Rs for the project.
- CS-41 Prior to approval of the Final Tract Map, the White Mountain Mutual Water Company, or the CSA, shall submit a complete permit application for an expanded integrated water system to serve the existing and proposed development and shall receive a domestic water permit for such a system from the Mono County Department of Environmental Health. The expanded water system may be developed in phases as outlined in Land Use Program 1-D. In any case, the components of the expanded water system necessary to serve Phase I of the development shall be installed, passed final inspection, and fully operational prior to recording the Final Tract Map.

If the Board of Supervisors establishes a service entity other than the White Mountain Mutual Water Company or the CSA, the project applicant, along with that provider shall submit complete permit application for an expanded integrated water system to serve the existing and proposed development and shall receive a domestic water permit for such a system from the Mono County Department of Environmental Health. The water system may be developed in phases as outlined in Land Use Program 1-D. In any case, the components of the expanded water system necessary to serve Phase I of the development shall be installed, passed final inspection, and fully operational prior to recording the Final Tract Map.

- CS-42 The Technical, Managerial and Financial Capacity report required with the permit application for an expanded water system shall determine the source capacity of the two wells for the proposed project, or the developer's qualified hydrologist may propose an alternative measure for determining the apparent long-term yield for review by the Environmental Health Department. The Technical Report must take into consideration the water demand attributable to secondary residences that may be constructed on the proposed project and on the existing White Mountain Estates subdivision. If the data and conclusions in the report do not meet regulatory requirements, the Mono County Environmental Health cannot issue a permit for an expanded water system. In that case, the applicant may choose to redesign the project and complete additional CEQA analysis on the redesigned project.
- CS-43 If the water system is not the White Mountain Mutual Water Company or a CSA serving the existing and proposed development, the water system operator shall ensure that the new wells constructed for the project are not impacting the existing well operated by the White Mountain Estates Mutual Water Company.

The well maintenance program for the onsite water system shall include annual monitoring as required by the State. As part of that monitoring process, the level of the water table shall be measured in all of the wells utilized by the system, as well as in the wells owned and operated by the White Mountain Mutual Water Company.

If the static water level in any of the wells decreases by 20 feet or more in one year, then landscape watering in the proposed development shall be restricted during the summer months (June 1-September 30).

If the static water level rebounds fully by the following annual monitoring, landscape watering shall not be restricted. If the static water level remains at a decreased level for a second year, any second units allowed by the Specific Plan that have not been built at that point in time shall not be allowed until the static water level has rebounded and remained at a higher level for five consecutive years.

A water conservation schedule, identifying trigger points in well water levels and corresponding restrictions in landscape watering, shall be developed and approved by the Mono County Department of Environmental Health prior to approval of the Final Tract Map.

- CS-44 Future development will require the installation of individual sewage disposal systems on each parcel. The applicant shall submit a soils suitability report, prepared by a registered civil engineer licensed in the state of California, supporting the suitability of soils for installation of individual sewage disposal systems. The report shall contain, at a minimum, two percolation test results and two soil profile results for each new parcel to be created, or percolation test results and soil profile results as required by the Environmental Health Department. The report shall document, to the satisfaction of the Environmental Health Department, that the soil structure meets or exceeds applicable State and County standards for the siting and installation of individual sewage disposal systems.
- CS-45 The Environmental Health Department requires that the bottom of subsurface leach fields and rock-filled infiltration trenches be a minimum of five feet above the level of seasonal high groundwater to provide adequate treatment. Soil profiles and percolation testing shall be conducted during a period of highest groundwater, preferably during April or May. The Environmental Health Department shall be notified a reasonable period in advance of conducting the required soil profiles and percolation tests so staff may make inspections. Individual sewage disposal system permits shall be obtained from the MCEHD prior to installation of septic tanks.
- CS-46 All lots adjacent to the drainage course shall have a 50-foot setback from the drainage course.
- CS-47 The tract map shall indicate 100-foot sanitary setbacks from all community wells.

III. INFRASTRUCTURE PLAN

The Infrastructure Plan for the White Mountain Estates Specific Plan outlines policies pertaining to the planned type, intensity, and location of transportation systems, public service infrastructure, solid waste disposal, and energy facilities and services on the project site. The policy section for each infrastructure component establishes objectives, policies, and programs to guide development on-site. The plan proposals for each infrastructure component describe the infrastructure to be provided along with applicable development standards.

TRANSPORTATION SYSTEMS

POLICIES

This section establishes objectives, policies, and programs to guide development of transportation systems on APN 26-240-09 and APN 26-240-10 in Chalfant, California.

Circulation System

Objective 5 Provide circulation improvements that meet County and State standards and that minimize impacts to existing circulation patterns and facilities.

Policy 5-A Construct all new streets to Mono County Road Improvement Standards and in compliance with the Mono County Fire Safe Regulations (Chapter 22 of the Land Development Regulations).

Program 5-A A grading permit for the road construction and an encroachment permit(s) shall be obtained from the Mono County Department of Public Works prior to approval of the Final Tract Map.

Policy 5-B Provide off-site access improvements as specified in the Traffic/Circulation Analysis prepared for the project, i.e. install a northbound right-turn lane on Highway 6 according to design requirements of Caltrans and the County. The right-turn lane may include a 250-foot turn pocket and a 120-bay taper.

Program 5-B Approval of the proposed right-turn lane shall be obtained from Caltrans prior to approval of the Final Tract Map.

Policy 5-C Provide a funding mechanism to address ongoing road maintenance prior to acceptance of project roads into the County road system.

Program 5-C A CSA-Zone of Benefit district, or other maintenance mechanism satisfactory to Mono County, shall be created by the developer of newly constructed public roads in order to pay for long-term maintenance. The maintenance mechanism shall be formed prior to approval of the Final Tract Map.

Policy 5-D Provide additional off-site access improvements to White Mountain Estates Road in order to improve traffic safety at the intersection of White Mountain Estates Road and US 6, i.e. move the existing cattle guard on White Mountain Estates Road and realign the existing fence segments in order to improve turn safety from US 6 to White Mountain Estates Road.

Program 5-D The developer shall relocate the existing cattle guard on White Mountain Estates Road to a straight section of road and pay in-lieu fees that would allow the County to rehabilitate the easterly 900-foot portion of White Mountain Estates Road by grinding and re-compacting existing pavement followed by a 0.25-foot overlay with PG64-28PM hot mix asphalt. The developer's 900-foot portion is approximately 20% of a larger County rehabilitation project on White Mountain Estates Road. If the County constructs the improvements prior to recordation of the final map, then the developer shall also pay 20% of the County's costs of engineering, pulverization, and the .025-foot overlay, based on the lowest responsible bid prior to contract award. After the road rehabilitation project is completed, and before final approval of the map, the developer shall also pay 20% of the costs of the actual quantity of materials, materials testing, and construction management incurred by the County in constructing the required improvements, along with any adjustment (upward or downward) in the costs of engineering, pulverization, and the 0.25-foot overlay realized during construction. If the developer records the final map prior to the construction of the required improvements by the County, then the developer shall pay to the County 100% of all estimated costs associated with the developer's share of the project and enter into an agreement with the County providing for the payment of an additional amounts by the developer (or for offset of amounts overpaid) base on the developer's share of actual costs, prior to recording of the final map, as determined following project completion. Estimated costs will be based upon engineer's estimate prepared by the County.

~~The developer shall additionally install, or pay in lieu fees to County in the amount of County's costs to design, plan, and install, as a traffic calming measure, a "tabletop speed hump" on White Mountain Estates Road west of Sequoia Street. Installation (or payment of the in lieu fees) must occur prior to recording of the final map, unless the developer enter into a subdivision improvement agreement (including bonding) with the County which provides for the installation of the tabletop speed hump no later than following the sale of five lots in the subdivision. In lieu fees shall be based on a cost estimate prepared by a licensed engineer. Developer shall additionally enter into an agreement with the County providing for the payment of any additional amounts by the developer (or for offset of amounts overpaid) based on the actual costs of designing, planning, and installing the improvement. The hump shall be constructed in conformance with drawing number R 403A of the Standard Detail of Public Works Construction, Reno section.~~

Non-Motorized Transportation

Objective 6 Provide safe access for non-motorized modes of transportation within the subdivision and to surrounding areas.

Policy 6-A Provide safe pedestrian and bicycle access within the subdivision.

Program 6-A To provide pedestrian and bicycle access throughout the subdivision, including to the mailboxes and bus stop, subdivision streets shall be constructed with a

wider paved section. Working outward from the centerline, each street section shall consist of a 10-foot wide travel lane, a fog line, a four-foot wide paved shoulder, a two-foot wide compacted Class II aggregate base shoulder, and (where applicable) a drainage ditch. These road specifications shall be included on the Final Tract Map.

Transit

Objective 7 Encourage the use of transit services by Chalfant residents.

Policy 7-A Provide a convenient connection to public transit services for Chalfant residents and a school bus stop for the subdivision.

Program 7-A The project developer shall install an enclosed shaded bus stop within the subdivision. The location of the bus stop shall be determined once the final road layout is determined and shall be agreed upon by the Mono County Department of Public Works, the developer, the Eastern Sierra Unified School District, and Inyo-Mono Transit. The location of the shelter shall be shown on the Final Tract Map. The shelter shall be installed as part of the subdivision's infrastructure.

TRANSPORTATION SYSTEM PLANS

Figure 4 (see Appendix A, Map Set) shows proposed improvements to the transportation system needed to support the planned residential uses proposed in the White Mountain Estates Specific Plan. Proposed improvements to the transportation system include the on-site circulation system.

TRANSPORTATION DEVELOPMENT STANDARDS

A typical road cross section is shown on Figures 14 and 15 in the Map Set in Appendix A.

PUBLIC SERVICE INFRASTRUCTURE

POLICIES

This section establishes objectives, policies, and programs to guide development of public service infrastructure systems (water, sewer, and storm drainage) on APN 26-240-09 and APN 26-240-10 in Chalfant, California.

Water System

Objective 8 Provide an on-site water system that meet the needs of the proposed development, that minimizes impacts to existing service providers and wells, and that minimizes impacts to the surrounding environment.

Policy 8-A In compliance with Mono County General Plan policies¹ and state policies concerning the efficient provision of public services, the project shall be served by the existing water provider in the area, which is White Mountain Mutual Water Company (the "Water Company"), except that if a zone of benefit for water service is established within the existing County Service Area which will serve both the project and the properties currently served by the Water Company, then the project shall be served by the CSA.

Alternatively, the project applicant may request the Board of Supervisors to review the feasibility of the new development being served by the existing water provider (the Water Company), utilizing the criteria set forth below. The project applicant shall pay for any required inspections or analyses required to assess the project's and the Water Company's compliance with each of the criteria, as well as for the services of an impartial third-party engineer to conduct the required review.

If the Board of Supervisors determines that expansion of the Water Company's service area to include the proposed development is infeasible, based on the criteria set forth below, then the project may be served by a different service entity which may be a CSA or other public entity, as determined by the Board of Supervisors.

Mono County

Feasibility Criteria for Expansion of Small Water Systems

If the following criteria are met, or other criteria that the Board of Supervisors determines to be more reasonable or appropriate, then expansion of the White Mountain Estates Mutual Water Company to serve the proposed development may be considered feasible:

¹ Mono County General Plan, Conservation/Open Space Element, Water Resource Policies, Objective B, Policy 4 and Action 4.1:

Policy 4: Encourage the consolidation of small water providers to increase operational and service efficiency.

Action 4.1: Require new developments to be served by existing water providers, where feasible, rather than creating new service entities.

- 1) The existing water service provider is physically close enough to the proposed development for expansion of the existing system to occur, as determined by a qualified third-party engineer.
- 2) There is no physical, topographical, or geological reason why expansion of the existing system is not feasible, as determined by a qualified third-party engineer.
- 3) There is no hydrologic reason why expansion of the existing system is not feasible, as determined by a qualified third-party engineer.
- 4) The design of the existing system does not preclude expansion of that system, as determined by a qualified third-party engineer.
- 5) The costs associated with expanding the existing system, including fees charged to the developer, are determined to be reasonable by the Mono County Board of Supervisors.

The water service provider for the project shall be determined prior to approval of the Final Tract Map.

Program 8-A The project applicant shall work with the Mutual Water Company or the CSA to establish the administrative and managerial framework for the expanded system. That framework shall be in place prior to approval of the Final Tract Map. The process for establishing that system shall include the following steps, at a minimum:

- 1) The existing system shall be physically inspected by a registered engineer, in order to determine its condition and to establish a remaining life schedule and replacement values for equipment and system components.
- 2) The financial status of the existing system shall be reviewed by a qualified third-party, in order to determine its condition and to establish adequate reserves.
- 3) Reasonable costs associated with expanding the existing system, including fees charged to the developer, shall be determined.
- 4) Reasonable and equitable water rates shall be established for the existing development and the proposed development based on the operating costs to provide water to the respective units of the water system.
- 5) Separate capital improvement accounts shall be established for the maintenance, repair, and replacement of the existing infrastructure for the existing development and the infrastructure of the water system for the proposed development. Provisions shall be made and accounting practices instituted to assure that expenditures from these accounts for maintenance, repair, and replacement of the water system infrastructure are assigned to the appropriate account.
- 6) Provisions shall be instituted for equal representation from the existing and proposed development on the governing body of the water service provider.

7) Failure to accomplish these steps, caused by the unreasonable acts of the Water Company, may be used as grounds for the Board of Supervisors to determine that an expanded system is not feasible.

Alternatively, as allowed in Policy 8a, if the Board of Supervisors has determined that expansion of the existing water system is not feasible, for any of the reasons stated herein, and has established another service provider for the project, the project applicant shall work with that service provider to establish the managerial and administrative framework for the system as outlined above. That framework shall be in place prior to approval of the Final Tract Map.

Policy 8-B Provide a water system that meets estimated water needs for the project, including fire flow requirements.

Program 8-B The project applicant shall work with the White Mountain Mutual Water Company or the CSA to design an expanded water storage and distribution system that will serve both projects. The design for the expanded system shall be completed and approved by the Mono County Department of Environmental Health prior to approval of the Final Tract Map.

If the Board of Supervisors establishes a service entity other than the White Mountain Mutual Water Company or the CSA, the project applicant shall work with that entity to design a water storage and distribution system that is configured so that it may be connected to the existing system at some time in the future. The design for that system shall be completed and approved by the Mono County Department of Environmental Health prior to approval of the Final Tract Map.

The developer shall provide the necessary utility easements and/or deed the parcels containing the wells to the community water system prior to recording the final map. Well # 2 shall be designated as a utility lot on the final map.

Policy 8-C Ensure that the proposed water system meets all state and local requirements for small water systems.

Program 8-C Domestic water wells shall be developed for the project in compliance with all State and County regulations for domestic water wells. Prior to approval of the Final Tract Map, the White Mountain Mutual Water Company, or the CSA, shall submit a complete permit application for an expanded integrated water system to serve the existing and proposed development and shall receive a domestic water permit for such a system from the Mono County Department of Environmental Health. The expanded water system may be developed in phases as outlined in Land Use Program 1-D. In any case, the components of the expanded water system necessary to serve Phase I of the development shall be installed, passed final inspection, and fully operational prior to recording the Final Tract Map.

If the Board of Supervisors establishes a service entity other than the White Mountain Mutual Water Company or the CSA, the project applicant, along with that provider, shall submit a complete permit application for a water system to serve the proposed development and shall receive a domestic water permit for such a system from the Mono County Department of Environmental Health. The water system may be developed in phases as outlined in Land Use Program 1-D. In any case, the components of the water system necessary to serve Phase I of the development shall be installed, passed final inspection, and fully operational prior to recording the Final Tract Map.

Policy 8-D Ensure that the proposed water system avoids impacts to surrounding wells and to the surrounding environment.

Program 8-D All parcels in this project shall be connected to the community water supply permitted for the project. The water system shall be designed, constructed, and tested as specified in the Water Resource Conservation Standards in this plan (See also, Land Use Program 1-D).

Sewer System

Objective 9 Provide on-site sewage disposal systems that meet the needs of the proposed development, that minimize impacts to existing service providers and wells, and that minimize impacts to the surrounding environment.

Policy 9-A Individual septic systems shall be installed for the single-family residences.

Program 9-A Septic system permits shall be obtained from the Mono County Environmental Health prior to the installation of any septic systems.

Storm Drainage System

Objective 10 The storm drainage system for the project shall minimize risks associated with stormwater runoff and impacts to surrounding properties.

Policy 10-A The storm drainage system shall be designed to accommodate the runoff from a 100-year 24-hour storm event.

Program 10-A The storm drainage system shall be designed and constructed as specified in the preliminary drainage figures (see Appendix A, Map Set, Figure 5).

Policy 10-B The storm drainage system shall be maintained over the life of the project to ensure it functions properly.

Program 10-B The storm drainage system shall be maintained by a zone of benefit and/or by the CSA, so that it is fully functioning at all times.

PLANS

Water System

The water system includes wells, two water storage tanks, an underground distribution system, and fire hydrants (see Figure 6, Water, Propane and Sewage Plan, in Appendix A, Map Set). The

Mono County Environmental Health requires all residential lots to be connected to the water system. The water storage tanks will be two 60,000-gallon above-ground storage tanks located on a common utility lot in the middle of the development. The tanks will be a maximum of 19 feet tall at the center cap with a maximum diameter of 55 feet. Specific Plan design standards require the water tanks to be screened with vegetation to reduce the visual impact. Figure 8 in Appendix A shows the proposed screening vegetation for the water tanks.

Sewer System

Individual septic systems are proposed for each residential lot (see Figure 6, Water, Propane and Sewage Plan in Appendix A, Map Set).

Storm Drainage System

The storm drainage system is shown on Figure 5, Preliminary Grading & Drainage Plan (see Appendix A, Map Set). It includes drainage easements along the existing drainage channels designed to accommodate the runoff from a 100-year storm event.

SOLID WASTE DISPOSAL

POLICIES

This section establishes objectives, policies, and programs to guide development of solid waste disposal on APN 26-240-09 and APN 26-240-10 in Chalfant, California.

Solid Waste Disposal

Objective 11 Provide adequate solid waste facilities and services that meet the needs of the proposed development, that minimize impacts to existing service providers, and that minimize impacts to the surrounding environment.

Policy 11-A Solid waste disposal for the proposed residential uses shall be the responsibility of individual homeowners.

Program 11-A The CC & Rs for the project shall reiterate that solid waste disposal is the responsibility of individual homeowners.

PLANS

There are no plans for solid waste disposal since solid waste disposal will be the responsibility of individual homeowners.

ENERGY FACILITIES AND SERVICES

POLICIES

This section establishes objectives, policies, and programs to guide development of energy facilities and services on APN 26-240-09 and APN 26-240-10 in Chalfant, California.

Energy Facilities and Services

Objective 12 Provide adequate energy facilities and services that meet the needs of the proposed development, that minimize impacts to existing service providers and to the surrounding environment.

Policy 12-A All utility lines (electricity, phone, cable) shall be installed underground in compliance with the Mono County Land Use Regulations Chapter 11, Development Standards--Utilities.

Program 12-A Utility lines shall be installed as shown on Figure 7, Utility Plan (see Appendix A, Map Set).

- Policy 12-B** Propane shall be the primary heating source for the project. The propane storage and distribution system for the project shall include three 1000-gallon tanks located on Lot B and underground distribution lines as shown on Figure 6, Water, Propane and Sewage Plan (see Appendix A, Map Set).
- Program 12-B The propane storage and distribution system shall be installed in the location shown on Figure 6, Water, Propane and Sewage Plan (see Appendix A, Map Set). The propane storage yard shall be visually screened as required by Design Standard 19 in this plan. The facilities for the propane tanks shall include a containment facility and automatic shutoff valves. Each house/parcel shall have a standardized propane shutoff box.
- Policy 12-C** Woodburning stoves or fireplace inserts may be installed as a secondary heating source in residences but must be Phase II EPA certified in compliance with Mono County General Plan policies (Conservation/Open Space Element, Public Health and Safety policies, Objective A, Action 6.1).
- Program 12-C The CC & Rs for the project shall reiterate the requirement that any woodburning appliances installed in the project be Phase II EPA certified appliances.
- Policy 12-D** The installation and use of alternative energy systems, such as solar, shall not be discouraged.
- Program 12-D The CC & Rs for the project shall not prohibit alternative energy systems.

PLANS

Figure 7, Utility Plan (see Appendix A, Map Set) illustrates the plans for the electrical distribution system. Figure 6, Water, Propane and Sewage Plan (see Appendix A, Map Set) illustrates the plans for the propane storage and distribution system.

FIRE PROTECTION SERVICES

POLICIES

This section establishes objectives, policies, and programs to guide development of fire protection services on APN 26-240-09 and APN 26-240-10 in Chalfant, California.

Fire Protection Services

- Objective 13** Provide adequate fire protection services that meet the needs of the proposed development, that minimize impacts to existing service providers, and that minimize impacts to the surrounding environment.
- Policy 13-A** The development shall comply with California State Fire Codes as well as with the Mono County Fire Safe Requirements (Mono County Land Development Regulations, Chapter 22), pertaining to emergency access, signing and building numbering, emergency water supplies, and vegetation modification.
- Program 13-A Compliance with State Fire Codes and the Mono County Fire Safe Requirements shall be determined through the building permit approval process.
- Policy 13-B** The development shall comply with the requirements of the Chalfant Valley Fire Protection District.

Program 13-B The project shall comply with the following minimum requirements in order to increase fire safety:

- All buildings on adjoining lots shall be a minimum of 30 feet apart. For lots 1-8, the rear yard setback shall be 30'. For lot 25, the western side yard setback shall be 30'. For all other lots less than one acre in size the side and rear yard setbacks shall be 15'.

Note: The rear yard setbacks may be reduced for lots 1-8 and the western side yard setback may be reduced for lot 25, if existing buildings on the adjoining lots within the existing subdivision have at least a 15' setback from the applicable rear or side property lines. If a property within the existing subdivision that adjoins lots 1-8 or 25 is vacant, the applicable rear or side yard setback shall be 30'.

- Each house/parcel shall have a standardized propane shutoff box.
- The propane tanks for the project shall be located on the lot designated for utility uses.
- The facilities for the propane tanks shall include a containment facility and automatic shutoff valves.
- The project shall have illuminated house numbers on each residence.
- The Fire District shall review the hydrant plan prior to approval of the Final Tract Map.
- A hydrant shall be installed by the water tanks.

Prior to approval of the Final Tract Map, the project proponent shall provide the County with a "will serve" letter from the Chalfant Valley FPD, indicating its capability to serve the proposed development and its approval of fire protection and suppression components of the proposed project design. Fire mitigation fees shall be collected as part of the building permit application process.

Policy 13-C The development shall contribute its fair share of the cost of additional fire equipment and facilities needed to serve Chalfant.

Program 13-C The developer shall work with the Chalfant Valley Fire Department to determine its fair share of costs and the means of contributing to those costs. An agreement shall be reached concerning this prior to approval of the Final Tract Map.

PLANS

Figure 6, Water, Propane and Sewage Plan (see Appendix A, Map Set) shows the water storage and distribution system for the project as well as the location of fire hydrants for the project.

OTHER SERVICES

POLICIES

This section establishes objectives, policies, and programs to guide development of other services on APN 26-240-09 and APN 26-240-10 in Chalfant, California.

Law Enforcement

Objective 14 Provide adequate law enforcement services that meet the needs of the proposed development and that minimize impacts to existing service providers.

Policy 14-A Ensure that the development provides funding for its fair share of additional law enforcement services required as a result of the development.

Program 14-A As part of the building permit application process, the applicant shall pay the fees established by the Mono County Development Impact Fee Ordinance.

Emergency Medical Services

Objective 15 Provide adequate emergency medical services that meet the needs of the proposed development and that minimize impacts to existing service providers.

Policy 15-A Ensure that the development provides funding for its fair share of additional emergency medical services required as a result of the development.

Program 15-A As part of the building permit application process, the applicant shall pay the fees established by the Mono County Development Impact Fee Ordinance.

Schools

Objective 16 Provide adequate school services that meet the needs of the proposed development and that minimize impacts to existing service providers.

Policy 16-A Ensure that the development provides funding for its fair share of additional school facilities and services required as a result of the development.

Program 16-A As part of the building permit application process, collect school mitigation fees.

Recreational Facilities

Objective 17 Provide adequate community recreational facilities and services that meet the needs of the proposed development and that minimize impacts to existing facilities and services.

~~**Policy 17-A** Ensure that the development provides funding for its fair share of additional recreational facilities and services required as a result of the development.~~

~~**Program 17-A** Prior to recording the final map, the applicant shall pay \$1,000 per lot to offset impacts to recreational facilities and services in Chalfant, as required by the Mono County Department of Public Works.~~

Postal Service

Objective 18 Provide adequate postal services that meet the needs of the proposed development and that minimize impacts to existing service providers.

Policy 18-A The developer shall provide cluster mailboxes at the location shown on Figure 4, Traffic Circulation Plan (see Appendix A, Map Set). Easements and concrete bases or other provisions shall be provided for the mailboxes.

Program 18-A Prior to the approval of the Final Tract Map, the developer shall confer with local postal authorities and the Mono County Department of Public Works regarding the installation of cluster mailboxes. The applicant shall provide a letter from the postal authorities and the Mono County Department of Public Works stating their approval of road names and cluster box locations for the development. The

mailboxes shall be painted a muted earth tone (i.e. tan, green, brown, grey) that blends in with the surrounding environment and is non-reflective.

IV. PROGRAM OF IMPLEMENTATION MEASURES

IMPLEMENTING REGULATIONS AND ORDINANCES

The White Mountain Estates Specific Plan contains policies pertaining to the planned type, intensity, and location of development on the project site. It also contains development standards, design standards, and conservation standards intended to implement the proposed development. The White Mountain Estates Specific Plan will be subject to the provisions of the Mono County Land Development Regulations, unless an alternative regulation or standard is specified in the Specific Plan. These regulations will apply to all development in the Specific Plan area and will be effective following adoption of the Specific Plan. Alternative regulations in the Specific Plan are intended to be consistent with the Mono County Land Development Regulations and with the Subdivision Ordinance, and to implement those regulations for the project parcel.

Policies in the Specific Plan will be implemented through the design and conservation standards established in the Plan. Those standards incorporate suggested mitigation measures from the special studies (traffic, noise, hydrogeology, flooding) prepared for the project as well as mitigation from the County's General Plan and Land Development Regulations. The design and conservation standards also incorporate proposed mitigation measures resulting from the analysis in the Draft Environmental Impact Report for the Specific Plan.

FINANCING

The ultimate responsibility for construction of the infrastructure and facilities outlined in this plan shall lie with the developer of the Property within the Specific Plan. There are no plans for either an Assessment district or County participation for the cost of construction of the required infrastructure. Where infrastructure is required to be provided which is sized or scoped in excess of what is needed for development of the Project Specific Plan, the developer will seek reimbursement of such costs in excess of the project's fair share from the County through credits against project fees.

CAPITAL IMPROVEMENT PROGRAM

See Table 2, White Mountain Estates Development Budget, on the following page.

Table 2 White Mountain Estates Development Budget

White Mountain Estates				
CONSTRUCTION BUDGET				
	DESCRIPTION OF WORK	PROPOSED Final Budget	PER LOT	PER SQ. FT.
GENERAL CONDITIONS				
		-	-	-
20/01	CLEARING & DEMOLITION	35,000	795	0.44
20/02	GRADING / EROSION CONTROL	120,000	2,727	1.50
	FINISH GRADE PADS / TRENCH FOOTINGS	80,000	1,818	1.00
20/03	PERIMETER FENCES AND WALLS	-	-	-
20/04	RETAINING WALLS	-	-	-
20/05	PAVING AND CONCRETE	225,000	5,114	2.82
20/06	SEPTIC SYSTEMS	288,000	6,545	3.60
20/09	STREET LIGHTS - N/A	-	-	-
20/10	LANDSCAPE/IRRIGATION	120,000	2,727	1.50
20/11	DRY UTILITY TRENCHING	56,000	1,273	0.70
20/12	ELECTRIC UNDERGROUND	40,000	909	1.20
20/20	WATER SYSTEM			-
20/21	<u>WELL NO. 1 FIRE & DOMESTIC</u>			-
20/22	Drill	35,000	795	0.44
20/23	Geotechnical	10,000	227	0.13
20/24	Develop Well	15,000	341	0.19
20/25	Pump and Motor	15,000	341	0.19
20/26	Pipe and Appurtenances	11,000	250	0.14
20/27	<u>WELL NO. 2 FIRE & DOMESTIC</u>			-
20/28	Drill	35,000	795	0.44
20/29	Geotechnical	10,000	227	0.13
20/30	Develop Well	15,000	341	0.19
20/31	Pump and Motor	15,000	341	0.19
20/32	Pipe and Appurtenances	12,000	273	0.15
20/33	Pressure Tank and Appurtenances	50,000	1,136	0.63
20/34	Well & System Control building and Controls	20,000	455	0.25
20/35	Well Hut (pump 2 site)	5,000	114	0.06
20/36	<u>Distribution System</u>			-
20/37	Water Line	110,000	2,500	1.38
20/38	Fire Hydrants	18,000	409	0.23
20/39	Service Laterals	42,900	975	1/24
20/40	Air Release	13,100	298	0.16
	TOTAL In-Tracts	1,396,000	31,727	17.47

PHASING

The developer is proposing the following phasing for infrastructure installation and development of the single-family residential units:

- Phase I: Infrastructure installation (including installation of the water tanks, water system for lots 1-39 and propane tanks on the lot designated for utility uses) required for the construction of residential lots 1-39 and the construction of homes on residential lots 1-39.
- Phase II: Infrastructure installation required for the construction of residential lots 40-45 (including water system for lots 40-45) and the remainder parcel and the construction of homes on residential lots 40-45 and the remainder parcel. If the remainder parcel is sold to a private party for residential construction purposes or the developer constructs or places a residential home on the property, all utilities shall be installed.

Figure 3, Phasing Plan (see Appendix A, Map Set) shows the proposed project phasing.

V. RELATIONSHIP OF THE SPECIFIC PLAN EIR TO SUBSEQUENT DISCRETIONARY PROJECTS

PROJECTS THAT WILL BE EXEMPT FROM ADDITIONAL ENVIRONMENTAL REVIEW

The Environmental Impact Report (EIR) for the White Mountain Estates Specific Plan addresses all future development on the project site. It analyzes the subdivision of the project site and the development of forty-six single-family residences. The future development of the residences will not require additional environmental review. There are no subsequent discretionary projects associated with the project.

VI. SPECIFIC PLAN ADMINISTRATION

SPECIFIC PLAN COST RECOVERY FEES

California Government Code Section 65456 allows the legislative body adopting a specific plan to impose fees related to the cost of preparing, adopting, and administering the specific plan. Fees may be established as follows:

California Government Code Section 65456. Fees and Charges.

- (a) The legislative body, after adopting a specific plan, may impose a specific plan fee upon persons seeking governmental approvals which are required to be consistent with the specific plan. The fees shall be established so that, in the aggregate, they defray but as estimated do not exceed, the cost of preparation, adoption, and administration of the specific plan, including costs incurred pursuant to Division 13 (commencing with Section 21000) of the Public Resources Code. As nearly as can be estimated, the fee charged shall be a prorated amount in accordance with the applicant's relative benefit derived from the specific plan. It is the intent of the Legislature in providing for such fees to charge persons who benefit from specific plans for the costs of developing those specific plans which result in savings to them by reducing the cost of documenting environmental consequences and advocating changed land uses which maybe authorized pursuant to the specific plan.
- (b) Notwithstanding Section 60016, a city or county may require a person who requests adoption, amendment, or repeal of a specific plan to deposit with the planning agency an amount equal to the estimated cost of preparing the plan, amendment, or repeal prior to its preparation by the planning agency.
- (c) Copies of the documents adopting or amending the specific plan, including the diagrams and text, shall be made available to local agencies and shall be made available to the general public as follows:
 - (1) Within one working day following the date of adoption, the clerk of the legislative body shall make the documents adopting or amending the plan, including the diagrams and text, available to the public for inspection.
 - (2) Within two working days after receipt of a request for a copy of the documents adopting or amending the plan, including the diagrams and text, accompanied by payment for the reasonable cost of copying, the clerk shall furnish the requested copy to the person making the request.
- (d) A city or county may charge a fee for a copy of a specific plan or amendments to a specific plan in an amount that is reasonably related to the cost of providing that document.

Mono County's Project Development Fee Schedule is reproduced in Table 3.

Table 3 Mono County Project Development Fee Schedule

Development fees are based on time and materials, and are deposits toward actual costs incurred by Mono County. The fees indicated below are the minimum deposits required; additional fees may accrue during permit processing.

Type of Fee	Amount
Appeal	\$ 540
Building Permit Plan Check	\$ 30
Categorical Exemption	\$ 50
Commission Interpretation	\$ 400
Director Review	\$ 430
Environmental Impact Report * **	\$ 890
General Plan Amendment **	\$ 1,510
Groundwater Extraction	\$ 930
Lot Line Adjustment	\$ 490
Lot Merger	\$ 280
Map Extension	\$ 490
Mining Operations Permit **	\$ 930
Negative Declaration **	\$ 890
Parcel Map **	\$ 1,500
Reclamation Permit **	\$ 930
Permit Modification	\$ 670
Specific Plan **	\$ 1,750
Time Shares	\$ 930
Tract Map **	\$ 1,800
Use Permit **	\$ 930
Variance **	\$ 780

* EIR amount is deposit for initial study only. Additional deposits may be assessed as needed on a case-by-case basis.

SPECIAL FEES: Research, inspections and services exceeding one-half hour for which no fee is specifically indicated shall be charged at direct cost including, but not limited to, hourly rate plus benefits and overhead, materials, copying, film and mileage, and shall not exceed the County’s cost of providing such services.

PENALTY: Where work for which a permit is required by this code is started or continued without a permit, said permit shall be obtained along with applicable fees plus a penalty fee equal to the amount of such fees. Payment of such permit and penalty fee shall not relieve any persons from fully complying with the requirements of this code in execution of the work or requirements or from any other penalties prescribed by law.

FEE PAYMENT: Initial application fee is a deposit only toward actual costs of providing services. Should permit processing costs or services exceed initial deposit or payment, applicant and/or property may be billed for amount due or additional reasonable deposit (fee payment) for services not yet provided. Such billing shall be due no later than 15 days from postage date. In no event shall fees exceed the final cost of services by Mono County. Unless otherwise directed by the applicable department head or his designee, County may cease work on permits or services in process until fee payment is received, and such permits or services shall not become final until all fees have been paid.

FEES APPLIED: All fees listed are minimum deposits credited toward actual cost of services rendered. Such costs include, but are not limited to, hourly rate, postage, copying, mileage and overhead. Persons applying for services or permits shall pay a fee in an amount set by resolution of the Board of Supervisors, not to

exceed the County's costs. Portions of deposit exceeding final actual costs shall be reimbursed to the person paying such fees.

SPECIFIC PLAN AMENDMENT PROCEDURES

State planning law requirements for amending Specific Plans are the following:

California Government Code Section 65453. Adoption/Amendment Procedure.

- (a) A specific plan shall be prepared, adopted, and amended in the same manner as a general plan, except that a specific plan may be adopted by resolution or by ordinance and may be amended as often as deemed necessary by the legislative body.
- (b) A specific plan may be repealed in the same manner as it is required to be amended.

California Government Code Section 65454. Consistency with the General Plan.

No specific plan may be adopted or amended unless the proposed plan or amendment is consistent with the general plan.

California Government Code Section 65455. Zoning, Tentative Map, Parcel Map, and Public Works Project Consistency with Specific Plan.

No public works project may be approved, no tentative map or parcel map for which a tentative map was not required may be approved, and no zoning ordinance may be adopted or amended within an area covered by a specific plan unless it is consistent with the adopted specific plan.

Mono County requirements for amending Specific Plans are the following:

Mono County Land Development Regulations, Chapter 36, Processing--Specific Plan, Section 36.060, Amendments.

Amendments to a specific plan can be handled through the Director Review process if no change in density results and no change in conditions are necessary. All other amendments shall follow the procedures in Chapter 48, Amendments.

Chapter 48, Amendments, of the Mono County Land Development Regulations, is reproduced in Table 4.

**Table 4 Mono County Land Development Regulations
Chapter 48, Procedures--Amendments**

- I. GENERAL PLAN MAP/LAND USE DESIGNATION AMENDMENTS
 - 48.010 Initiation.
 - 48.020 Planning Commission action.
 - 48.030 Board action.
 - 48.040 Covenants.
 - 48.050 Reinitiation.

- II. TEXT AMENDMENTS--GENERAL PLAN POLICIES, LAND DEVELOPMENT REGULATIONS
 - 48.060 Initiation.
 - 48.070 Planning Commission action.
 - 48.080 Board action.
 - 48.090 Reinitiation.

I. GENERAL PLAN MAP/LAND USE DESIGNATION AMENDMENTS

48.010 Initiation.

The provisions of this section, or portion thereof, to the extent that the same may be referred to in any specific procedure, shall govern in the initiation of proceedings. Initiation may be by:

1. The adoption of a resolution of initiation by the Board of Supervisors;
2. The adoption of a resolution of initiation by the Commission;
3. Filing with the Director an application signed by one (1) or more of the record owners of the parcel of property which is the subject of the application or by an agent of the owner, authorized in writing, or by a public utility company or other agency with the powers of eminent domain. In the event that more than one (1) parcel is submitted for district amendment, owners of parcels representing at least sixty percent (60%) of the area involved must sign the application. The names of all record owners of all land involved must be stated. A petition for amendment shall be on a form designated by the Commission, and shall be accompanied by the required application, environmental forms, and fee. In addition, the applicant shall also be assured that the proposed district amendment is consistent with this general plan before his application is deemed accepted.

48.020 Planning Commission action.

Decisions to change the classification of land from one adopted land use designation to another shall be the subject of a public hearing and noticed according to the requirements of Chapter 46, Noticing Requirements. The application shall be heard first before the Commission.

Prior to taking an action to approve or recommend approval of a change in district designation classification, the Commission shall find as follows:

1. The proposed change in land use designation is consistent with the text and maps of this General Plan.

2. The proposed change in land use designation is consistent with the goals and policies contained within any applicable area plan.
3. The site of the proposed change in land use designation is suitable for any of the land uses permitted within that proposed land use designation.
4. The proposed change in land use designation is reasonable and beneficial at this time.
5. The proposed change in land use designation will not have a substantial adverse effect on surrounding properties.

The Commission recommendation shall then be acted upon by the Board, excepting, however, that a recommendation for denial shall terminate any application for a change in land district classification unless it is appealed in accordance with the provisions of Chapter 47, Appeals. Excepting, however, an application for a change in land use designation, when accompanied by a land use application that requires an action by the Board of Supervisors, shall be referred without appeal to the Board of Supervisors.

48.030 Board action.

The Board of Supervisors shall act on the recommendation for the land use redesignation from the Commission at a public hearing noticed according to the requirements of Chapter 46, Noticing Requirements.

The Board may approve, modify or disapprove the recommendation of the Commission. If new information regarding the application is presented at the Board hearing which may have influenced the Commission recommendation, the Board may refer it back to the Commission for report and recommendation before taking action, but the Commission shall not be required to hold a public hearing thereon. The action of the Board shall be the final administrative action.

48.040 Covenants.

Whenever performance of any condition or accomplishment of any development is required by the grant of a special permit or in connection with the redesignation of property, and the performance or accomplishment is to occur at or after a specified time, the Director may require the record owner of the land involved to execute a covenant running with the land in a form approved by the County Counsel, which shall contain the requirements imposed and it shall be recorded in the office of the County Recorder. The Director may issue releases from such covenants when they are no longer applicable (snow storage and joint parking agreements are common applications of this provision).

48.050 Reinitiation.

No matter initiated pursuant to Section 48.010C (Initiation), may be reinitiated for a period of one year from the date of final action denying or disapproving such matter, unless such action was specifically stated to be without prejudice.

II. TEXT AMENDMENTS-GENERAL PLAN POLICIES, LAND DEVELOPMENT REGULATIONS

48.060 Initiation.

1. Amendments to the text of the General Plan or the Land Development Regulations may be initiated by:

- a. The adoption of a resolution of initiation by the Board of Supervisors;
 - b. The adoption of a resolution of initiation by the Commission.
2. General plan text amendments may be initiated by either a) or b) delineated in 1. above except that the processing of amendments to the text of this general plan are limited by state law to four (4) cycles per year, unless the amendment will qualify as an affordable housing project. There is also a one year moratorium on general plan amendments following the adoption of a newly prepared plan.

48.070 Planning Commission action.

Action to change the text of the Land Development Regulations, or the text of any area plan or countywide general plan element, shall be the subject of a public hearing and noticed according to the requirements of Chapter 46.020, Noticing Requirements.

After the hearing, the Commission shall render its decision in the form of a written recommendation to the Board. If it is a land development regulation amendment, the recommendation for approval shall include a finding that the proposed change to the text is consistent with this General Plan as well as any applicable area plans. Prior to making a recommendation to amend an area plan, the Commission shall find that the proposed adoption or amendment is consistent with the countywide general plan.

A land development text amendment which imposes any regulation listed in Government Code Section 65860 (Adoption of Regulations), not theretofore imposed; or removes or modifies any such regulations theretofore imposed, shall be adopted as provided in this section.

48.080 Board action.

The Board of Supervisors shall act on the recommendation for the text amendment from the Commission at a public hearing and noticed according to the requirements of Chapter 46.020, Noticing Requirements.

The Board may approve, modify or disapprove the recommendation of the Commission. If new information regarding the application is presented at the Board hearing which may have influenced the Commission recommendation, the Board may refer it back to the Commission for report and recommendation before taking action, but the Commission shall not be required to hold a public hearing thereon. The action of the Board shall be the final administrative action.

48.090 Reinitiation.

No matter indicated pursuant to Section 48.060(2) can be reinitiated for a period of one (1) year, unless Board action was specifically stated to be without prejudice.

VII. SPECIFIC PLAN ENFORCEMENT

Enforcement of the White Mountain Estates Specific Plan will occur through implementation of the Specific Plan policies, standards, and diagrams, the mitigation measures approved in the EIR, and the conditions of approval for the tract map. Enforcement will be tracked through the Compliance Checklist developed for the project. The final Compliance Checklist (see Attachment A to this document) integrates all development requirements from the Specific Plan including the Specific Plan policies, standards, and diagrams, the mitigation measures approved in the EIR, and the conditions of approval for Tentative Tract Map 37-46. The Compliance Checklist also includes the Mitigation Monitoring Program required as a component of the EIR.

Over the life of the project, the Community Development Department (Planning, Building, Code Enforcement) will utilize the Compliance Checklist for the White Mountain Estates Specific Plan to ensure that all requirements, including approved mitigation measures, tract map conditions, and specific plan programs and standards, are met at the appropriate phase of the project.

The final checklist will be maintained as a separate file for the project and will be consulted throughout the life of the project to ensure that development occurs in compliance with the provisions of the Specific Plan and the DEIR.

VIII. REFERENCES

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Eastern Sierra Engineering

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Preliminary Hydrogeologic Investigation, 72-Hour Pumping and Recovery Test, White Mountain Estates –Phase 2, Chalfant Valley, Mono County, California. 2006.
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Mono County Ozone Attainment Plan. 1991.
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Persons Consulted

Bishop Joint Union High School District
Bishop Union Elementary School District
Mark Geyer, Superintendent

Chalfant Valley Fire Protection District
Steve Reish, Assistant Fire Chief/ Acting Fire Chief

Eastern Sierra Propane
Cameron Riley

Eastern Sierra Unified School District
Joel Hampton, Superintendent

Inyo County Planning Department
Jan Larsen, Senior Planner

Mono County Community Development Department
Scott Burns, Community Development Director
Larry Johnston, Senior Planner
Gerry Le Francois, Senior Planner

Mono County Environmental Health
Dennis Lampson, Director

Mono County Department of Public Works
Kelly Garcia, Assistant Director
Evan Nikirk, Director

Southern California Edison
DeAnn Toth

INTERNET REFERENCE SITES

The current internet address at the time of printing is listed for these sources; the address may have changed since printing.

California Air Resources Board (ARB)
Emissions and air quality data. Nonattainment status.
www.arb.ca.gov

California Department of Transportation (Caltrans)
Annual Average Daily Traffic (AADT) counts, Annual Average Daily Truck Traffic on the California Highway System, Eastern Sierra Bicycle Guide, other Caltrans transportation planning documents
www.dot.ca.gov

California Geological Survey (CGS)

Information on seismic hazards, landslide hazards, loss estimates for seismic events.

www.consrv.ca.gov/CGS

Inyo-Mono Transit

Information on local transit services in Mono County.

www.countyofinyo.org/transit

National Climatic Data Center (NCDC)/National Oceanic and Atmospheric Administration (NOAA)

Climate data.

www.ncdc.noaa.gov

U.S. Environmental Protection Agency (EPA)

Emissions and air quality data. Nonattainment status.

www.epa.gov/air

US Geological Survey (USGS)

Information on seismic hazards, volcanic hazards, landslide hazards, and water hazards.

www.usgs.gov

**ATTACHMENT A
COMPLIANCE CHECKLIST**

**Compliance Checklist for
White Mountain Estates Specific Plan,
Tract Map 37-46 and
White Mountain Estates Specific Plan
Environmental Impact Report**

Contents:

- 1. White Mountain Estates Specific Plan Programs and Standards**
- 2. Tentative Tract Map 37-46/White Mountain Estates
Conditions of Approval**
- 3. White Mountain Estates Mitigation Monitoring Program**

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**Compliance Checklist for
White Mountain Estates Specific Plan,
Tract Map 37-46, and
White Mountain Estates Specific Plan Environmental Impact Report**

Over the life of the project, the Mono County Community Development Department (Planning, Building, Code Enforcement Divisions), the Mono County Department of Public Works, and the Mono County Department of Environmental Health will utilize the Compliance Checklist for the White Mountain Estates Specific Plan/EIR/Tract Map 37-46 to ensure that all requirements, including approved mitigation measures, tract map conditions, and specific plan project conditions, are met at the appropriate phase of the project. The final checklist will be maintained as a separate file for the project and will be consulted throughout the life of the project to ensure that development occurs in compliance with the provisions of the Specific Plan, EIR, and Tract Map.

White Mountain Estates Specific Plan Development Standards

SPECIFIC PLAN POLICIES AND PROGRAMS

LAND USE

Policy 1-A Designate areas for Single-Family Residential (SFR) with a half-acre minimum lot size, Utility (U), and Open Space (OS) as shown on the Land Use Plan (Appendix A, Map Set, Figure 2). Gross densities shall not exceed 1 unit per acre.

Program 1-A Implement the Single-Family Residential (SFR) and Open Space (OS) designations from the Mono County Land Use Element (Chapter IV), as amended herein. Implement the Utility (U) designation included in this Specific Plan.

Policy 1-B Allow forty-five (45) single-family lots, one utility lot, three open space lots, and a remainder parcel on APN 26-240-09 and 26-240-10. An overall project density of 1 unit per acre shall be maintained throughout the life of the project.

Program 1-B Approve Tentative Tract Map 37-46 to subdivide APN 26-240-09 and 26-240-10 into forty-five (45) single-family lots with a minimum lot size of ½ acre, one lot for utility uses, three lots for open space uses as shown on Tentative Tract Map 37-46, and a remainder parcel (see Appendix A, Map Set). Parcels in Phase II are subject to the minimum parcel sizes shown on Tentative Tract Map 37-46, Sheet 3 Of 6, i.e.:

Lot 40 = 34,731 square feet

Lot 41 = 2.55 acres

Lot 42 = 1.2 acres

Lot 43 = 1.05 acres

Lot 44 = 1.07 acres

Lot 45 = 4.79 acres

Policy 1-C Limit future development on the remainder parcel.

Program 1-C Allow one single-family residence on the remainder parcel, with one connection to the community water supply system. Any additional density shall require regulatory approval through the Specific Plan process with associated CEQA documents. Any potential impacts to the spring or the surrounding riparian habitat areas associated with additional density on the remainder parcel shall be avoided or fully mitigated. Designate the remainder parcel Specific Plan/Single-Family Residential (SP/SFR).

Policy 1-D Develop the project in phases to ensure that adequate services and infrastructure are available to serve the proposed development.

Program 1-D The project shall be developed in the following phases:

- Phase I: Infrastructure installation (including installation of, the water system components for lots 1-39 and propane tanks on the lot designated for utility uses) required for the construction of residential lots 1-39 and the construction of homes on residential lots 1-39.
- Phase II: Infrastructure installation required for the construction of residential lots 40-45 (including water system components for lots 40-45) and the remainder parcel and the construction of homes on residential lots 40-45 and the remainder parcel. If the remainder parcel is sold to a private party for

residential construction purposes or the developer constructs or places a residential home on the property, all utilities shall be installed.

HOUSING

Policy 2-A

Program 2-A

Allow the development of forty-six (46) single-family residences on-site.

Develop forty-six (46) single-family residences on-site in compliance with the requirements of this Specific Plan and the Mono County General Plan and Land Development Regulations.

~~**Policy 2-B** — Ensure an adequate supply of locally available affordable housing.~~

~~**Program 2-B** — The project shall provide two affordable housing units that meet the following criteria:~~

- ~~1) The project shall provide one affordable housing unit that meets the following criteria:
 - ~~a) At a minimum, the first unit shall be a two (2) bedroom, 1,200 square foot single family unit with a two car garage;~~
 - ~~b) The first sale of this affordable unit shall be made to buyer(s) qualifying for financing under the Federal Housing Authority (FHA) lending criteria for those having an income no greater than 120 percent of adjusted median income (AMI);~~
 - ~~c) Any resale of this unit (the second owner, third owner, etc.) shall be made to buyer(s) qualifying for financing under the Federal Housing Authority (FHA) lending criteria for those having an income no greater than 120 percent of adjusted median income (AMI), based on the AMI and FHA criteria at time of resale;~~
 - ~~d) The restrictions on sales prices listed in subsections b and c shall be listed in the deed for this unit; and~~
 - ~~e) Additional resale incentives may be offered to the seller of the unit, consistent with resale incentives provided to other like properties within the County, at the discretion of the County.~~~~
- ~~2) The project shall provide a second affordable housing unit that meets the following criteria:
 - ~~a) At a minimum, the second unit shall be a three (3) bedroom, 1,200 square foot single family unit with a two car garage;~~
 - ~~b) The first sale of this affordable unit shall be made to buyer(s) qualifying for financing under the Federal Housing Authority (FHA) lending criteria for those having an income no greater than 100 percent of adjusted median income (AMI);~~
 - ~~c) Any resale of this unit (the second owner, third owner, etc.) shall be made to buyer(s) qualifying for financing under the Federal Housing Authority (FHA) lending criteria for those having an income no greater than 100 percent of adjusted median income (AMI), based on the AMI and FHA criteria at time of resale;~~
 - ~~d) The restrictions on sales prices listed in subsections b and c shall be listed in the deed for this unit; and~~
 - ~~e) Additional resale incentives may be offered to the seller of the unit, consistent with resale incentives provided to other like properties within the County, at the discretion of the County.~~~~
- ~~3) The affordable housing units must be developed and sold during Phase I of the development. The first affordable housing unit shall have a certificate of occupancy at the issuance of a building permit for the 12th unit. The second affordable housing~~

~~unit shall have a certificate of occupancy at the issuance of a building permit for the 22nd unit.~~

- Policy 2-C**
Program 2-C
- Allow a maximum of eight (8) secondary housing units within the development. Secondary units may be allowed when they meet the following criteria:
- a) They meet the requirements of Chapter 16, Development Standards—Secondary Units, of the Mono County Land Development Regulations.
 - b) They meet the requirements of the Mono County Environmental Health and the Lahontan Regional Water Quality Control Board.

OPEN SPACE

- Policy 3-A**
Program 3-A
- Provide open space areas within the development. Maintain the open space areas shown on the Land Use Plan (Appendix A, Map Set, Figure 2). Uses permitted within the open space areas are indicated in the Open Space (OS) land use designation in this chapter. No structures shall be permitted within the Open Space designation, except on Lot A. The lots designated Open Space (OS) shall be deed-restricted to prohibit any uses other than open space uses.

Note: Open space uses on Lots C and D are restricted to passive non-motorized recreational uses. Additional non-residential open space uses are allowed on Lot A as noted in the Open Space (OS) land use designation in this chapter.

- Policy 3-B**
Program 3-B
- Maintain wildlife access to the spring. Designate a conservation easement on the remainder parcel and Lot D to protect wildlife access to the spring and the riparian areas. The conservation easement shall include a minimum setback of 100 feet on all sides from the spring and the riparian areas. No disturbance of any kind, including fencing, shall be allowed within the conservation easement. No uses other than passive non-motorized recreational activities shall be allowed within the conservation easements. No large domestic animals, i.e. horses, cattle, llamas, etc., shall be allowed within the conservation easement. The conservation easement shall be established prior to recording the Final Tract Map. The remainder parcel and Lot D shall be deed restricted to maintain the conservation easement in perpetuity and restrict uses within the area covered by the conservation easement.

This conservation easement shall expire for the remainder parcel only upon trade or purchase by a public agency or land trust (i.e. the conservation easement shall remain in perpetuity for the portion of the easement located on Lot D).

UTILITIES

- Policy 4-A**
Program 4-A
- Ensure that adequate sites are available within the development to meet all identified utility needs. Develop and maintain the utility area shown on the Land Use Plan (Appendix A, Map Set, Figure 2). Uses permitted with the utility area are indicated in the Utilities (U) land use designation in this chapter. The lot designated Utilities (U) shall be deed-restricted to prohibit any uses other than utilities.

CIRCULATION SYSTEM

- Policy 5-A**
- Construct all new streets to Mono County Road Improvement Standards and in compliance with the Mono County Fire Safe Regulations (Chapter 22 of the Land Development Regulations).

Program 5-A A grading permit for the road construction and an encroachment permit(s) shall be obtained from the Mono County Department of Public Works prior to approval of the Final Tract Map.

Policy 5-B Provide off-site access improvements as specified in the Traffic/Circulation Analysis prepared for the project, i.e. install a northbound right-turn lane on Highway 6 according to design requirements of Caltrans and the County. The right-turn lane may include a 250-foot turn pocket and a 120-bay taper.

Program 5-B Approval of the proposed right-turn lane shall be obtained from Caltrans prior to approval of the Final Tract Map.

Policy 5-C Provide a funding mechanism to address ongoing road maintenance prior to acceptance of project roads into the County road system.

Program 5-C A CSA-Zone of Benefit district, or other maintenance mechanism satisfactory to Mono County, shall be created by the developer of newly constructed public roads in order to pay for long-term maintenance. The maintenance mechanism shall be formed prior to approval of the Final Tract Map.

Policy 5-D Provide additional off-site access improvements to White Mountain Estates Road in order to improve traffic safety at the intersection of White Mountain Estates Road and US 6, i.e. move the existing cattle guard on White Mountain Estates Road and realign the existing fence segments in order to improve turn safety from US 6 to White Mountain Estates Road.

Program 5-D The developer shall relocate the existing cattle guard on White Mountain Estates Road to a straight section of road and pay in-lieu fees that would allow the County to rehabilitate the easterly 900-foot portion of White Mountain Estates Road by grinding and re-compacting existing pavement followed by a 0.25-foot overlay with PG64-28PM hot mix asphalt. The developer's 900-foot portion is approximately 20% of a larger County rehabilitation project on White Mountain Estates Road. If the County constructs the improvements prior to recordation of the final map, then the developer shall also pay 20% of the County's costs of engineering, pulverization, and the .025-foot overlay, based on the lowest responsible bid prior to contract award. After the road rehabilitation project is completed, and before final approval of the map, the developer shall also pay 20% of the costs of the actual quantity of materials, materials testing, and construction management incurred by the County in constructing the required improvements, along with any adjustment (upward or downward) in the costs of engineering, pulverization, and the 0.25-foot overlay realized during construction. If the developer records the final map prior to the construction of the required improvements by the County, then the developer shall pay to the County 100% of all estimated costs associated with the developer's share of the project and enter into an agreement with the County providing for the payment of an additional amounts by the developer (or for offset of amounts overpaid) base on the developer's share of actual costs, prior to recording of the final map, as determined following project completion. Estimated costs will be based upon engineer's estimate prepared by the County.

~~The developer shall additionally install, or pay in lieu fees to County in the amount of County's costs to design, plan, and install, as a traffic calming measure, a "tabletop speed hump" on White Mountain Estates Road west of Sequoia Street. Installation (or payment of the in lieu fees) must occur prior to recording of the final map, unless the developer enter into a subdivision improvement agreement (including bonding) with the County~~

**White Mountain Estates (TM 37-46) Compliance Checklist
November 2007**

[Proposed amendment 2012](#)

~~which provides for the installation of the tabletop speed hump no later than following the sale of five lots in the subdivision. In lieu fees shall be based on a cost estimate prepared by a licensed engineer. Developer shall additionally enter into an agreement with the County providing for the payment of any additional amounts by the developer (or for offset of amounts overpaid) based on the actual costs of designing, planning, and installing the improvement. The hump shall be constructed in conformance with drawing number R-403A of the Standard Detail of Public Works Construction, Reno section.~~

NON-MOTORIZED TRANSPORTATION

- Policy 6-A*** Provide safe pedestrian and bicycle access within the subdivision.
- Program 6-A To provide pedestrian and bicycle access throughout the subdivision, including to the mailboxes and bus stop, subdivision streets shall be constructed with a wider paved section. Working outward from the centerline, each street section shall consist of a 10-foot wide travel lane, a fog line, a four-foot wide paved shoulder, a two-foot wide compacted Class II aggregate base shoulder, and (where applicable) a drainage ditch. These road specifications shall be included on the Final Tract Map.

TRANSIT

- Policy 7-A*** Provide a convenient connection to public transit services for Chalfant residents and a school bus stop for the subdivision.
- Program 7-A The project developer shall install an enclosed shaded bus stop within the subdivision. The location of the bus stop shall be determined once the final road layout is determined and shall be agreed upon by the Mono County Department of Public Works, the developer, the Eastern Sierra Unified School District, and Inyo-Mono Transit. The location of the shelter shall be shown on the Final Tract Map. The shelter shall be installed as part of the subdivision's infrastructure.

WATER SYSTEM

Policy 8-A In compliance with Mono County General Plan policies² and state policies concerning the efficient provision of public services, the project shall be served by the existing water provider in the area, which is White Mountain Mutual Water Company (the “Water Company”), except that if a zone of benefit for water service is established within the existing County Service Area which will serve both the project and the properties currently served by the Water Company, then the project shall be served by the CSA.

Alternatively, the project applicant may request the Board of Supervisors to review the feasibility of the new development being served by the existing water provider (the Water Company), utilizing the criteria set forth below. The project applicant shall pay for any required inspections or analyses required to assess the project’s and the Water Company’s compliance with each of the criteria, as well as for the services of an impartial third-party engineer to conduct the required review.

If the Board of Supervisors determines that expansion of the Water Company’s service area to include the proposed development is infeasible, based on the criteria set forth below, then the project may be served by a different service entity which may be a CSA or other public entity, as determined by the Board of Supervisors.

Mono County

Feasibility Criteria for Expansion of Small Water Systems

If the following criteria are met, or other criteria that the Board of Supervisors determines to be more reasonable or appropriate, then expansion of the White Mountain Estates Mutual Water Company to serve the proposed development may be considered feasible:

- 1) The existing water service provider is physically close enough to the proposed development for expansion of the existing system to occur, as determined by a qualified third-party engineer.
- 2) There is no physical, topographical, or geological reason why expansion of the existing system is not feasible, as determined by a qualified third-party engineer.
- 3) There is no hydrologic reason why expansion of the existing system is not feasible, as determined by a qualified third-party engineer.
- 4) The design of the existing system does not preclude expansion of that system, as determined by a qualified third-party engineer.
- 5) The costs associated with expanding the existing system, including fees charged to the developer, are determined to be reasonable by the Mono County Board of Supervisors.

The water service provider for the project shall be determined prior to approval of the Final Tract Map.

² Mono County General Plan, Conservation/Open Space Element, Water Resource Policies, Objective B, Policy 4 and Action 4.1:

Policy 4: Encourage the consolidation of small water providers to increase operational and service efficiency.

Action 4.1: Require new developments to be served by existing water providers, where feasible, rather than creating new service entities.

Program 8-A The project applicant shall work with the Mutual Water Company or the CSA to establish the administrative and managerial framework for the expanded system. That framework shall be in place prior to approval of the Final Tract Map. The process for establishing that system shall include the following steps, at a minimum:

- 7) The existing system shall be physically inspected by a registered engineer, in order to determine its condition and to establish a remaining life schedule and replacement values for equipment and system components.
- 8) The financial status of the existing system shall be reviewed by a qualified third-party, in order to determine its condition and to establish adequate reserves.
- 9) Reasonable costs associated with expanding the existing system, including fees charged to the developer, shall be determined.
- 10) Reasonable and equitable water rates shall be established for the existing development and the proposed development based on the operating costs to provide water to the respective units of the water system.
- 11) Separate capital improvement accounts shall be established for the maintenance, repair, and replacement of the existing infrastructure for the existing development and the infrastructure of the water system for the proposed development. Provisions shall be made and accounting practices instituted to assure that expenditures from these accounts for maintenance, repair, and replacement of the water system infrastructure are assigned to the appropriate account.
- 12) Provisions shall be instituted for equal representation from the existing and proposed development on the governing body of the water service provider.
- 7) Failure to accomplish these steps, caused by the unreasonable acts of the Water Company, may be used as grounds for the Board of Supervisors to determine that an expanded system is not feasible.

Alternatively, as allowed in Policy 8a, if the Board of Supervisors has determined that expansion of the existing water system is not feasible, for any of the reasons stated herein, and has established another service provider for the project, the project applicant shall work with that service provider to establish the managerial and administrative framework for the system as outlined above. That framework shall be in place prior to approval of the Final Tract Map.

Policy 8-B Provide a water system that meets estimated water needs for the project, including fire flow requirements.

Program 8-B The project applicant shall work with the White Mountain Mutual Water Company or the CSA to design an expanded water storage and distribution system that will serve both projects. The design for the expanded system shall be completed and approved by the Mono County Department of Environmental Health prior to approval of the Final Tract Map.

If the Board of Supervisors establishes a service entity other than the White Mountain Mutual Water Company or the CSA, the project applicant shall work with that entity to design a water storage and distribution system that is configured so that it may be connected to the existing system at some time in the future. The design for that system shall be completed and approved by the Mono County Department of Environmental Health prior to approval of the Final Tract Map.

The developer shall provide the necessary utility easements and/or deed the parcels containing the wells to the community water system prior to recording the final map. Well # 2 shall be designated as a utility lot on the final map.

Policy 8-C Ensure that the proposed water system meets all state and local requirements for small water systems.

Program 8-C Domestic water wells shall be developed for the project in compliance with all State and County regulations for domestic water wells. Prior to approval of the Final Tract Map, the White Mountain Mutual Water Company, or the CSA, shall submit a complete permit application for an expanded integrated water system to serve the existing and proposed development and shall receive a domestic water permit for such a system from the Mono County Department of Environmental Health. The expanded water system may be developed in phases as outlined in Land Use Program 1-D. In any case, the components of the expanded water system necessary to serve Phase I of the development shall be installed, passed final inspection, and fully operational prior to recording the Final Tract Map.

If the Board of Supervisors establishes a service entity other than the White Mountain Mutual Water Company or the CSA, the project applicant, along with that provider, shall submit a complete permit application for a water system to serve the proposed development and shall receive a domestic water permit for such a system from the Mono County Department of Environmental Health. The water system may be developed in phases as outlined in Land Use Program 1-D. In any case, the components of the water system necessary to serve Phase I of the development shall be installed, passed final inspection, and fully operational prior to recording the Final Tract Map.

Policy 8-D Ensure that the proposed water system avoids impacts to surrounding wells and to the surrounding environment.

Program 8-D All parcels in this project shall be connected to the community water supply permitted for the project. The water system shall be designed, constructed, and tested as specified in the Water Resource Conservation Standards in this plan (See also, Land Use Program 1-D).

SEWER SYSTEM

Policy 9-A Individual septic systems shall be installed for the single-family residences.

Program 9-A Septic system permits shall be obtained from the Mono County Environmental Health prior to the installation of any septic systems.

STORM DRAINAGE SYSTEM

Policy 10-A The storm drainage system shall be designed to accommodate the runoff from a 100-year 24-hour storm event.

Program 10-A The storm drainage system shall be designed and constructed as specified in the preliminary drainage figures (see Appendix A, Map Set, Figure 5).

Policy 10-B The storm drainage system shall be maintained over the life of the project to ensure it functions properly.

Program 10-B The storm drainage system shall be maintained by a zone of benefit and/or by the CSA, so that it is fully functioning at all times.

SOLID WASTE DISPOSAL

- Policy 11-A*** Solid waste disposal for the proposed residential uses shall be the responsibility of individual homeowners.
- Program 11-A The CC & Rs for the project shall reiterate that solid waste disposal is the responsibility of individual homeowners.

ENERGY FACILITIES AND SERVICES

- Policy 12-A*** All utility lines (electricity, phone, cable) shall be installed underground in compliance with the Mono County Land Use Regulations Chapter 11, Development Standards--Utilities.
- Program 12-A Utility lines shall be installed as shown on Figure 7, Utility Plan (see Appendix A, Map Set).
- Policy 12-B*** Propane shall be the primary heating source for the project. The propane storage and distribution system for the project shall include three 1000-gallon tanks located on Lot B and underground distribution lines as shown on Figure 6, Water, Propane and Sewage Plan (see Appendix A, Map Set).
- Program 12-B The propane storage and distribution system shall be installed in the location shown on Figure 6, Water, Propane and Sewage Plan (see Appendix A, Map Set). The propane storage yard shall be visually screened as required by Design Standard 19 in this plan. The facilities for the propane tanks shall include a containment facility and automatic shutoff valves. Each house/parcel shall have a standardized propane shutoff box.
- Policy 12-C*** Woodburning stoves or fireplace inserts may be installed as a secondary heating source in residences but must be Phase II EPA certified in compliance with Mono County General Plan policies (Conservation/Open Space Element, Public Health and Safety policies, Objective A, Action 6.1).
- Program 12-C The CC & Rs for the project shall reiterate the requirement that any woodburning appliances installed in the project be Phase II EPA certified appliances.
- Policy 12-D*** The installation and use of alternative energy systems, such as solar, shall not be discouraged.
- Program 12-D The CC & Rs for the project shall not prohibit alternative energy systems.

FIRE PROTECTION SERVICES

- Policy 13-A*** The development shall comply with California State Fire Codes as well as with the Mono County Fire Safe Requirements (Mono County Land Development Regulations, Chapter 22), pertaining to emergency access, signing and building numbering, emergency water supplies, and vegetation modification.
- Program 13-A Compliance with State Fire Codes and the Mono County Fire Safe Requirements shall be determined through the building permit approval process.
- Policy 13-B*** The development shall comply with the requirements of the Chalfant Valley Fire Protection District.
- Program 13-B The project shall comply with the following minimum requirements in order to increase fire safety:
- All buildings on adjoining lots shall be a minimum of 30 feet apart. For lots 1-8, the rear yard setback shall be 30'. For lot 25, the western side yard setback shall be 30'. For all other lots less than one acre in size the side and rear yard setbacks shall be 15'.

Note: The rear yard setbacks may be reduced for lots 1-8 and the western side yard setback may be reduced for lot 25, if existing buildings on the adjoining lots within the existing subdivision have at least a 15' setback from the applicable rear or side property lines. If a property within the existing subdivision that adjoins lots 1-8 or 25 is vacant, the applicable rear or side yard setback shall be 30'..

- Each house/parcel shall have a standardized propane shutoff box.
- The propane tanks for the project shall be located on the lot designated for utility uses.
- The facilities for the propane tanks shall include a containment facility and automatic shutoff valves.
- The project shall have illuminated house numbers on each residence.
- The Fire District shall review the hydrant plan prior to approval of the Final Tract Map.
- A hydrant shall be installed by the water tanks.

Prior to approval of the Final Tract Map, the project proponent shall provide the County with a "will serve" letter from the Chalfant Valley FPD, indicating its capability to serve the proposed development and its approval of fire protection and suppression components of the proposed project design. Fire mitigation fees shall be collected as part of the building permit application process.

Policy 13-C The development shall contribute its fair share of the cost of additional fire equipment and facilities needed to serve Chalfant.

Program 13-C The developer shall work with the Chalfant Valley Fire Department to determine its fair share of costs and the means of contributing to those costs. An agreement shall be reached concerning this prior to approval of the Final Tract Map.

LAW ENFORCEMENT

Policy 14-A Ensure that the development provides funding for its fair share of additional law enforcement services required as a result of the development.

Program 14-A As part of the building permit application process, the applicant shall pay the fees established by the Mono County Development Impact Fee Ordinance.

EMERGENCY MEDICAL SERVICES

Policy 15-A Ensure that the development provides funding for its fair share of additional emergency medical services required as a result of the development.

Program 15-A As part of the building permit application process, the applicant shall pay the fees established by the Mono County Development Impact Fee Ordinance.

SCHOOLS

Policy 16-A Ensure that the development provides funding for its fair share of additional school facilities and services required as a result of the development.

Program 16-A As part of the building permit application process, collect school mitigation fees.

RECREATIONAL FACILITIES

~~**Policy 17-A** Ensure that the development provides funding for its fair share of additional recreational facilities and services required as a result of the development.~~

~~Program 17-A Prior to recording the final map, the applicant shall pay \$1,000 per lot to offset impacts to recreational facilities and services in Chalfant, as required by the Mono County Department of Public Works.~~

POSTAL SERVICE

Policy 18-A The developer shall provide cluster mailboxes at the location shown on Figure 4, Traffic Circulation Plan (see Appendix A, Map Set). Easements and concrete bases or other provisions shall be provided for the mailboxes.

Program 18-A Prior to the approval of the Final Tract Map, the developer shall confer with local postal authorities and the Mono County Department of Public Works regarding the installation of cluster mailboxes. The applicant shall provide a letter from the postal authorities and the Mono County Department of Public Works stating their approval of road names and cluster box locations for the development. The mailboxes shall be painted a muted earth tone (i.e. tan, green, brown, grey) that blends in with the surrounding environment and is non-reflective.

SPECIFIC PLAN DESIGN STANDARDS

● **Access and Roads**

DS-1 Project roads and access points shall conform to the applicable Mono County Road Improvement Standards.

DS-2 The project shall not include curbs or sidewalks.

DS-3 To provide pedestrian and bicycle access throughout the subdivision, including to the mailboxes and bus stop, subdivision streets shall be constructed with a wider paved section. Working outward from the centerline, each street section shall consist of a 10-foot wide travel lane, a fog line, a four-foot wide paved shoulder, a two-foot wide compacted Class II aggregate base shoulder, and (where applicable) a drainage ditch. These road specifications shall be included on the Final Tract Map.

DS-4 At a minimum, the encroachment from each lot to the adjacent public road shall be paved. This requirement shall be reiterated in the CC & Rs for the project.

DS-5 Driveway access shall meet fire-safe standards and shall not exceed a sixteen (16) percent grade.

● **Parking**

DS-6 Each single-family residence shall provide two off-street parking spaces in compliance with the Mono County Land Development Regulations, Chapter 6, Development Standards--Parking. This requirement shall be reiterated in the CC & Rs for the project.

● **Lighting**

DS-7 The project shall not have streetlights unless required for safety at intersections. Streetlights shall be shielded and directed so that no light emanates beyond the street.

DS-8 Exterior lighting at individual residences shall be limited to that necessary for safety reasons. Exterior lighting shall be concealed, high intensity lighting shall be avoided, and lighting shall be shielded and directed so that it does not emanate beyond the boundaries of each individual lot. This requirement shall be reiterated in the CC & Rs for the project.

● **Building Design**

- DS-9 Housing installed on-site by White Mountain Estates LLC may be either factory-built or traditional stick-built housing. There shall be at least 3 floor plans available and at least 2 exterior elevations per floor plan.
- DS-10 Any factory-built housing installed on the site, whether by the developer or subsequent property owners, shall be on an engineered load-bearing foundation system on top of a concrete footing. This requirement shall be reiterated in the CC & Rs for the project.
- DS-11 The scale and design of structures, fences and signs shall harmonize with existing development in the area and with the surrounding natural environment. Fencing shall be wildlife-friendly.
- **Building Height**

DS-12 Building heights for residential development shall be limited to a maximum of 35 feet from any given point above grade. All heights shall be calculated from the natural grade or finished grade, whichever is more restrictive. This requirement shall be reiterated in the CC & Rs for the project.
 - **Building Materials**

DS-13 In compliance with Mono County's minimum development standards, the color, design, and type of building materials for structures, fences, and signs shall be aesthetically compatible with the natural environment and/or surrounding community. Reflective materials shall not be allowed. Colors shall be muted earth tones, i.e. dark tans, browns, grays, or greens. Roof colors shall be muted, non-reflective dark earth tones, i.e. brown, green. Building materials shall have an appearance compatible with the surrounding environment, e.g. wood, stone, or stucco. This requirement shall be reiterated in the CC & Rs for the project.
 - **Signs**

DS-14 The project shall comply with the provisions of the Mono County Sign Ordinance, Chapter 7 of the Land Development Regulations, specifically with Section 07.020 (D), Real Estate Signs.

DS-15 Individual illuminated house number signs are required in compliance with the Mono County Fire Safe Standards, Chapter 22 of the Land Development Regulations.
 - **Utilities**

DS-16 All utilities (electrical, communication lines, water distribution lines, propane distribution line, etc.) shall be installed underground in conformance with applicable provisions of the Mono County Land Development Regulations. All service connections shall be placed so that public roadways will not have to be cut up for service connections to future residences.

DS-17 All utilities shall be installed to all parcels within each development phase prior to the occupancy of any structure constructed on any parcel within that development phase.

DS-18 Mailboxes shall be clustered and shall be installed by White Mountain Estates LLC at a location approved by the Public Works Department and the US Postal Service. Prior to approval of the Final Tract Map, the applicant shall provide a letter from the US Postal Service and the Mono County Department of Public Works stating their approval of road names and cluster box locations for the development. The location of the mailboxes shall be shown on the Final Tract Map. The mailboxes shall be painted a muted dark earth tone (i.e. tan, green, brown, gray) that blends in with the surrounding environment and is non-reflective.

- **Landscaping/Screening**

- DS-19 In compliance with Mono County's minimum development standards, visually offensive land uses such as the production well(s), water storage tanks, and propane tanks shall be adequately screened through the use of landscaping, fencing, contour grading, or other appropriate measures, including the use of an appropriate paint color and finish that blends into the surrounding visual environment. Paint color and finish shall be approved by the Planning Director. Landscaping shall occur as shown on the Master Landscape Plan in Appendix A, Map Set.
- DS-20 Landscaping installed by the developer shall comply with the Landscape Plan prepared for the White Mountain Estates Specific Plan (see Figure 8 in Appendix A, Map Set). A detailed landscape plan, prepared in accordance with Mono County's Landscape and Revegetation Requirements, shall be prepared, reviewed by the Planning Commission and approved prior to approval of the Final Tract Map. The landscape plans shall include requirements for irrigation and maintenance of the landscaping installed by the developer.
- DS-21 Landscaping on individual residential lots shall be predominantly xeriscape (i.e. 65 percent of the landscaped area on an individual lot shall be xeriscape) and fire safe. The requirement for xeriscapic and fire safe landscaping shall be reiterated in the CC & Rs for the project.

Xeriscape means a dry landscape or a landscape requiring low irrigation and low maintenance. Many of the plants may not require any irrigation once they are established; others may require only limited drip irrigation. Xeriscape landscaping incorporates several basic principles that lead to saving water:

- Soil preparation. Amending soil, particularly in areas for shrubs and flowers, will improve the soil's water-holding capacity and reduce water consumption.
- Plant selection. Selecting trees, shrubs and groundcovers based on their adaptability to a region's soil and climate will reduce irrigation and maintenance requirements.
- Efficient irrigation. The use of efficient irrigation methods, such as drip irrigation and timed watering systems, will also reduce water consumption.
- Mulch. Using mulch in flower and shrub beds and around the base of trees will prevent water loss from the soil through evaporation and increase water penetration during irrigation.
- Maintenance. Appropriate maintenance (pruning, weeding, fertilization, pest control, irrigation) increases the health of plants and decreases the need for water.

Information on fire safe landscaping can be obtained from the Mono County Land Use Regulations, Chapter 22, Fire Safe Regulations, and from the Eastern Sierra Regional Fire Council (www.easternsierrafirecouncil.org). Fire safe landscaping includes maintaining a defensible perimeter around structures and using plants with a high moisture content and low resin or oil content. The Fire Safe Plant Guide (see Appendix D in the DEIR) issued by the Eastern Sierra Regional Fire Safe Council provides a list of Fire Safe plants that are available and grow well in the Eastern Sierra.

SPECIFIC PLAN CONSERVATION STANDARDS

- **Noise**

- CS-1 Construction shall be limited to daylight hours in accordance with the Mono County Noise Regulations (Mono County Code Section 10.16) in order to minimize impacts to nocturnal wildlife species and adjacent sensitive noise receptors.
 - CS-2 Noise levels during all construction activities shall be kept to a minimum by equipping all on-site equipment with noise attenuation devices and by compliance with all requirements of the Mono County Noise Regulations (Mono County Code Section 10.16).
 - CS-3 During all construction activities, all stationary construction equipment shall be placed so that emitted noise is directed away from sensitive receptors nearest the project site, i.e. residential uses in the existing White Mountain Estates subdivision.
 - CS-4 During all construction activities, equipment staging areas shall be located the greatest distance possible from the nearest sensitive noise receptors, i.e. residential uses in the existing White Mountain Estates subdivision.
- **Air Quality**
 - CS-5 Only energy star rated heating systems and appliances shall be installed in the residences. No units shall have wood burning appliances as the primary heating source.
 - CS-6 In compliance with Mono County General Plan policies, any wood-burning appliances installed in the project shall be Phase II EPA certified (Mono County General Plan, Conservation/Open Space Public Health and Safety policies, Objective A, Action 6.1). This requirement shall be reiterated in the CC & Rs for the project.
 - CS-7 An air quality permit shall be obtained from the Great Basin Unified Air Pollution Control District.
 - CS-8 A final Grading Plan, based on the preliminary grading and drainage plan in this document, must be approved by the Mono County Department of Public Works prior to recording the Final Tract Map. The Grading Plan must include erosion control and stormwater management BMPs. Grading shall be minimized; structures shall be designed to fit the site.
 - CS-9 Building envelopes and driveways shall be established on the Final Tract Map for all lots adjacent to drainage channels, all lots affected by Alquist Priolo fault hazards, and lots on which Secondary Units may be allowed. The land use plan shall also indicate lots where Secondary Units may be allowed. On lots larger than one acre in size, where large animals such as horses are allowed, animal confinement areas shall also be established on the Final Tract Map in order to reduce site disturbance, protect vegetation, and to ensure that there is sufficient area for the leach field, replacement field, and animal areas.
 - CS-10 Building envelopes for each residential parcel shall be located to avoid development on ridgelines or ridgetops, when feasible, and to minimize cut and fill.
 - CS-11 In order to minimize the potential for dust erosion and visual impacts, land disturbance (grading, cut and fill) for road construction, infrastructure installation, and building construction shall be limited to the areas identified on the Final Tract Map for roads, utilities, buildings, and driveways.
 - CS-12 Dust generated during construction shall be controlled by the use of watering or other Best Management Practices. All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering shall occur at least twice daily with complete coverage.
 - CS-13 Speed limits on the construction site shall be reduced to minimize dust and windborne erosion.
 - CS-14 Construction materials (rock, debris, etc.) that are not utilized as road fill shall be removed to a permitted landfill or other approved site.
 - CS-15 The project proponent shall prepare a Stormwater Pollution Prevention Plan (SWPPP) and submit a Notice of Intent to comply with provisions of the State Water Resources Control Board's Stormwater NPDES Permit for Construction Activities.

- CS-16 All clearing, grading, earth moving, or excavation activities shall cease during periods of high winds (i.e. greater than 25 miles per hour averaged over one hour).
 - CS-17 Adjoining streets shall be washed or swept clean of tracked-out vehicle dirt.
 - CS-18 All material transported on-site or off-site shall be sufficiently watered or securely covered to prevent excessive amounts of dust.
 - CS-19 All trucks hauling excavated or graded material off-site shall comply with State Vehicle Code Section 23114, which contains requirements for covering loads so materials do not blow or fall from a truck.
- **Wildlife**
 - CS-20 Domestic animals shall be restrained at all times, either through the use of leashes or private fenced yards. No animals shall be allowed to be free roaming. Fencing shall be wildlife-friendly. This requirement shall be reiterated in the project CC & Rs.
 - CS-21 Dogs on the project site during construction must be under the direct control of the owner at all times.
 - CS-22 Construction shall be limited to daylight hours in accordance with the Mono County Noise Regulations (Mono County Code Section 10.16) in order to minimize impacts to nocturnal wildlife species and adjacent sensitive noise receptors.

- **Vegetation**

- CS-23 Land uses on Lot D shall be limited to non-motorized passive recreational activities (e.g. hiking, birdwatching, wildlife viewing, horseback riding) and signs shall be posted at the entrances to the parcel reiterating the prohibition on motorized vehicles.
- CS-24 Any additional density on the remainder parcel beyond one single-family residential unit with one connection to the community water supply system, shall require regulatory approval through the Specific Plan process with associated CEQA documents. Any potential impacts to the spring or surrounding riparian habitat areas identified in the CEQA documents shall be avoided or fully mitigated.
- CS-25 If vegetation clearing is required during the avian breeding season, a qualified biologist, paid for by the developer, shall survey the area affected and if active nests are located, a protective buffer of 100 feet shall be established around the nests to be avoided until the young have fledged.
- CS-26 During construction, project boundaries shall be clearly delineated in order to avoid disturbances to surrounding off-site vegetation and soils.
- CS-27 The project proponent shall revegetate disturbed areas resulting from roadway construction, infrastructure installation, and earthquake fault trenching. Revegetation shall utilize local seed mixes and/or native plants and shall be conducted immediately following construction. Revegetated areas shall be irrigated as needed and maintained until the plants are established.
- CS-28 To deter the spread of weeds, stockpiled topsoil shall be covered and disturbed areas shall be revegetated immediately following construction.
- CS-29 Landscaping shall be utilized to minimize potential visual impacts resulting from development (e.g. water and propane tanks) and to minimize erosion. Landscaping on individual residential lots shall be predominantly xeriscape (i.e. 65 percent of landscaping on an individual lot shall be xeriscape) and fire safe. The requirement for xeriscapic and fire safe landscaping shall be reiterated in the CC & Rs for the project. See DS-21 for specific provisions regarding xeriscape and fire safe landscaping.
- CS-30 The project proponent shall work with LADWP and BLM to identify authorized trail/route access from the community across adjacent LADWP and BLM lands. Where feasible, existing roads/trails shall be used. The route(s) shall be identified prior to approval of the final tract map and shall be marked with signs at the property boundary. The signs shall be installed prior to the development of any housing and shall inform recreational users of LADWP and BLM lands of prohibited uses on those lands. The Homeowner's Association shall be responsible for maintaining the signs. The CC & Rs for the project shall inform all residents of BLM policies that prohibit cross-country vehicle use on adjacent public lands and limit that vehicle use to designated roads and trails. Access points shall be finalized and shown on the map prior to recording the final tract map.
- CS-31 The project proponent shall work with LADWP and BLM to place signs along the public land/private subdivision boundary along the north and south sides of the project site in order to reduce trespass on public lands. The Homeowner's Association shall be responsible for maintaining the signs. The signs shall be installed prior to the development of any housing. Access points shall be finalized and shown on the map prior to recording the final tract map.

- **Cultural Resources**

- CS-32 The project proponent shall stop work and the County and local Native American tribal contacts if archaeological evidence and/or human remains or unmarked cemeteries are encountered during ground-disturbing activities. No disturbance of such a site shall be permitted until such time as the applicant hires a certified archaeologist and an archaeological

survey that identifies acceptable site mitigation measures is filed with the County Planning Department.

Native American monitors shall be onsite during the archaeological survey to ensure the proper identification and care of cultural resources. The disposition of any recovered artifacts shall be made in consultation with local tribal contacts. In the event of the accidental discovery of human remains, Health and Safety Code §7050.5, Public Resources Code §5097.98, and CEQA Guidelines §15064.5 (d) shall be consulted for the proper procedure to follow.

Road construction/grading plans shall include a copy of this mitigation measure.

- **Geology and Soils**

CS-33 The applicant shall be required to submit a soils report or process a soils waiver report. Any such report or waiver shall be reviewed and approved by the Director of Public Works, according to the provisions of Mono County Code Section 17.36.090.

CS-34 All development on-site (structures, utilities) shall comply with the requirements of the Uniform Building Code for Seismic Zone 4.

Note: See Air Quality Conservation Standards for additional standards that address geology and soils.

- **Hazards**

CS-35 The project shall comply with all requirements of the Chalfant Valley FPD and shall obtain a will serve letter from the FPD prior to approval of the Final Tract Map.

CS-36 Development on-site shall be designed and constructed to minimize off-site runoff impacts. A stormwater drainage system shall be constructed and maintained on-site, as shown in Figure 5 in Appendix A, Map Set.

CS-37 The project shall comply with the following minimum requirements in order to increase fire safety:

- All buildings on adjoining lots shall be a minimum of 30 feet apart. For lots 1-8, the rear yard setback shall be 30'. For lot 25, the western side yard setback shall be 30'. For all other lots less than one acre in size the side and rear yard setbacks shall be 15'.

Note: The rear yard setbacks may be reduced for lots 1-8 and the western side yard setback may be reduced for lot 25, if existing buildings on the adjoining lots within the existing subdivision have at least a 15' setback from the applicable rear or side property lines. If a property within the existing subdivision that adjoins lots 1-8 or 25 is vacant, the applicable rear or side yard setback shall be 30'.

- Each house/parcel shall have a standardized propane shutoff box.
- The propane tanks for the project shall be located on the lot designated for utility uses.
- The facilities for the propane tanks shall include a containment facility and automatic shutoff valves.
- The project shall have illuminated house numbers on each residence.
- The Fire District shall review the hydrant plan prior to approval of the Final Tract Map.
- A hydrant shall be installed by the water tanks.

- **Visual Resources**

CS-38 Visual resources in the project area shall be conserved through implementation of the design standards and the Landscaping Plan contained in this plan.

- **Water Resources**

- CS-39 All landscaping on-site shall be predominantly xeriscape and fire safe in compliance with Design Standard DS-21.
- CS-40 Water conserving fixtures shall be installed in all development on-site, including all residential structures and irrigation systems. This requirement shall be reiterated in the CC & Rs for the project.
- CS-41 Prior to approval of the Final Tract Map, the White Mountain Mutual Water Company, or the CSA, shall submit a complete permit application for an expanded integrated water system to serve the existing and proposed development and shall receive a domestic water permit for such a system from the Mono County Department of Environmental Health. The expanded water system may be developed in phases as outlined in Land Use Program 1-D. In any case, the components of the expanded water system necessary to serve Phase I of the development shall be installed, passed final inspection, and fully operational prior to recording the Final Tract Map.

If the Board of Supervisors establishes a service entity other than the White Mountain Mutual Water Company or the CSA, the project applicant, along with that provider shall submit complete permit application for an expanded integrated water system to serve the existing and proposed development and shall receive a domestic water permit for such a system from the Mono County Department of Environmental Health. The water system may be developed in phases as outlined in Land Use Program 1-D. In any case, the components of the expanded water system necessary to serve Phase I of the development shall be installed, passed final inspection, and fully operational prior to recording the Final Tract Map.

- CS-42 The Technical, Managerial and Financial Capacity report required with the permit application for an expanded water system shall determine the source capacity of the two wells for the proposed project, or the developer's qualified hydrologist may propose an alternative measure for determining the apparent long-term yield for review by the Environmental Health Department. The Technical Report must take into consideration the water demand attributable to secondary residences that may be constructed on the proposed project and on the existing White Mountain Estates subdivision. If the data and conclusions in the report do not meet regulatory requirements, the Mono County Environmental Health cannot issue a permit for an expanded water system. In that case, the applicant may choose to redesign the project and complete additional CEQA analysis on the redesigned project.
- CS-43 If the water system is not the White Mountain Mutual Water Company or a CSA serving the existing and proposed development, the water system operator shall ensure that the new wells constructed for the project are not impacting the existing well operated by the White Mountain Estates Mutual Water Company.

The well maintenance program for the onsite water system shall include annual monitoring as required by the State. As part of that monitoring process, the level of the water table shall be measured in all of the wells utilized by the system, as well as in the wells owned and operated by the White Mountain Mutual Water Company.

If the static water level in any of the wells decreases by 20 feet or more in one year, then landscape watering in the proposed development shall be restricted during the summer months (June 1-September 30).

If the static water level rebounds fully by the following annual monitoring, landscape watering shall not be restricted. If the static water level remains at a decreased level for a second year, any second units allowed by the Specific Plan that have not been built at that

point in time shall not be allowed until the static water level has rebounded and remained at a higher level for five consecutive years.

A water conservation schedule, identifying trigger points in well water levels and corresponding restrictions in landscape watering, shall be developed and approved by the Mono County Department of Environmental Health prior to approval of the Final Tract Map.

- CS-44 Future development will require the installation of individual sewage disposal systems on each parcel. The applicant shall submit a soils suitability report, prepared by a registered civil engineer licensed in the state of California, supporting the suitability of soils for installation of individual sewage disposal systems. The report shall contain, at a minimum, two percolation test results and two soil profile results for each new parcel to be created, or percolation test results and soil profile results as required by the Environmental Health Department. The report shall document, to the satisfaction of the Environmental Health Department, that the soil structure meets or exceeds applicable State and County standards for the siting and installation of individual sewage disposal systems.
- CS-45 The Environmental Health Department requires that the bottom of subsurface leach fields and rock-filled infiltration trenches be a minimum of five feet above the level of seasonal high groundwater to provide adequate treatment. Soil profiles and percolation testing shall be conducted during a period of highest groundwater, preferably during April or May. The Environmental Health Department shall be notified a reasonable period in advance of conducting the required soil profiles and percolation tests so staff may make inspections. Individual sewage disposal system permits shall be obtained from the MCEHD prior to installation of septic tanks.
- CS-46 All lots adjacent to the drainage course shall have a 50-foot setback from the drainage course.
- CS-47 The tract map shall indicate 100-foot sanitary setbacks from all community wells.

**TTM 37-46 / White Mountain Estates
Conditions of Approval**

FORMAT:

Condition of Approval.....

- a. Schedule of Compliance.....
 - b. Responsible Monitoring Agency or Department.....
Public Works, CDD—Building Division, CDD—Planning Division
 - c. Implementing Party
 - d. Type of Mitigation: Design, Ongoing, Cumulative
-

1. Future residential development shall meet the requirements of the Mono County General Plan and the White Mountain Estates Specific Plan.
 - a. Requires monitoring over time; usually linked to future development associated with approved residential construction. Must be satisfied prior to issuance of a building permit and/or certificate of occupancy.
 - b. Community Development Department / Building and Planning divisions
 - c. Applicant / Property Owner
 - d. Design / Ongoing

2. The developer shall inform future owners and developers of project mitigation measures as a means of reducing or eliminating development impacts to less-than-significant levels. These minimum development standards shall be cross-referenced to map conditions recorded by the County by notation on a supplemental sheet of the tract map, and shall also be included in project CC&Rs.
 - A. Construction activities shall take place only during daylight hours or per Mono County Code 13.08.290, whichever is more restrictive.
 - B. Noise levels shall be in conformity with Mono County Noise Standards. Construction equipment shall be adequately muffled.
 - C. Homeowners' dogs shall be restrained by leashes or contained within fenced areas or yards.
 - D. Dogs belonging to construction workers shall be prohibited in the project area during construction or be under the owner's complete control at all times.
 - E. Vegetation removal should be limited to disturbance necessary for construction of residences, accessory buildings, driveways, walkways, corrals, and landscaping.
 - F. Homeowners shall provide erosion control measures for disturbed areas during and following construction. Topsoil shall be stockpiled at the construction site and redistributed over disturbed areas as soon as practical following completion of construction.
 - G. Control of dust during any construction and/or land-clearing activities shall be required using watering, mulching, or other erosion-control methods as necessary.
 - H. Homeowners shall aim, shield and direct exterior lighting downward to reduce glare.
 - I. Future development projects shall comply with the Visual Resources requirements of the White Mountain Estates Specific Plan.
 - a. Developer's notification must be satisfied prior to final approval of the tract map. Property owner compliance requires monitoring over time; usually linked to future development.
 - b. Department of Public Works and Community Development Department / Planning Division
 - c. Applicant / Property Owner
 - d. Design / Ongoing

3. Pursuant to section 66424.6(a) of the Subdivision Map Act, when a subdivider divides only a portion of a parcel of land, the undivided portion may be designated as a “remainder” parcel so long as that portion is not divided for the purpose of sale, lease, or financing immediately or in the future. The designated remainder may be subsequently sold at a later date, but the owner must file a request for certificate of compliance or conditional certificate of compliance with the Mono County Department of Public Works prior to the sale (section 66424.6(d)). This requirement shall be noted on the final map.
 - a. Notation must be satisfied prior to final approval of the tract map. Future sale requires monitoring over time.
 - b. Department of Public Works
 - c. Applicant / Property Owner
 - d. Design / Ongoing
4. Lot numbering on the final tract map shall be presented in a continuous, sequential order to correct the lot numbering shown on the tentative tract map.
 - a. Must be satisfied prior to final approval of the tract map.
 - b. Department of Public Works
 - c. Applicant
 - d. Design
5. The developer shall make offers of dedication for 60-foot-wide rights-of-way for street, drainage, and utility purposes for subdivision roads shown on the Tentative Parcel Map. Offers of dedication shall also be made for slope maintenance easements as necessary for any slope area that extends outside street rights-of-way. Offers of dedication or easements to the benefit of a homeowner’s association shall also be made for any area necessary for bus stop or mailbox cluster purposes and/or for drainage facilities constructed outside street rights-of-way.
 - a. Must be satisfied prior to final approval of the tract map.
 - b. Department of Public Works
 - c. Applicant
 - d. Design
6. The developer shall provide necessary easements for existing and proposed utility service within the subdivision. All existing and proposed easements shall be shown on the tract map.
 - a. Must be satisfied prior to final approval of the tract map.
 - b. Department of Public Works
 - c. Applicant
 - d. Design
7. The subdivider shall convey an easement or license to the county, approved as to form by the county counsel, for access to the on-site well for ground water monitoring purposes. All proposed easements shall be shown on the tract map.
 - a. Must be satisfied prior to final approval of the tract map.
 - b. Department of Public Works
 - c. Applicant
 - d. Design
8. Liquefied Petroleum Gas (LPG) shall be installed according to all applicable codes and Mono County Code 15.04.056.

- a. Requires monitoring over time; usually linked to future development associated with approved residential construction. Must be satisfied prior to issuance of a building permit and/or certificate of occupancy.
 - b. Community Development Department / Building Division
 - c. Applicant / Property Owner
 - d. Design / Ongoing
9. All new residential construction shall conform to the requirements of Chapter 21, "Flood Plain Regulations," of the Land Use Element of the Mono County General Plan.
- a. Requires monitoring over time; usually linked to future development associated with approved residential construction.
 - b. Department of Public Works and Community Development Department / Building Division
 - c. Applicant / Property Owner
 - d. Design / Ongoing
10. A field investigation has identified seismic faulting on the property. The tract map shall include a note stating that a fault investigation report has been prepared and is available from the County. A supplemental sheet to the tract map shall delineate the boundaries of the Alquist-Priolo Earthquake Fault Zone and note that residential development is not permitted within 50 feet of the fault trace. In lots affected by the fault zone, a building envelope shall be shown and dimensioned to indicate limits of residential development. However, unoccupied structures such as barns, sheds, and detached garages may be constructed within this area.
- a. Delineation and notation must be satisfied prior to approval of the tract map. Future construction requires monitoring over time, usually associated with approved residential construction. Setbacks must be satisfied prior to issuance of a building permit.
 - b. Department of Public Works and Community Development Department / Building Division
 - c. Applicant / Property Owner
 - d. Design / Ongoing

FINAL MAP CONDITIONS

11. The developer shall inform future owners of development standards and mitigation measures as a means of reducing or eliminating impacts to less-than-significant levels. At a minimum, Conditions of Approval 1–20, or as otherwise required by the County, shall be cross-referenced to map conditions recorded by the County by notation on a supplemental sheet of the tract map. Conditions of Approval 1–20 shall also be reiterated in project CC&Rs.
- a. Must be satisfied prior to final approval of the tract map.
 - b. Department of Public Works
 - c. Applicant
 - d. Design

**TTM 37-46 / White Mountain Estates
White Mountain Estates Specific Plan
Mitigation Monitoring Program**

FORMAT:

Mitigation Measure.....

- a. Schedule of Compliance.....
 - b. Responsible Monitoring Agency or Department.....
Public Works, CDD—Building Division, CDD—Planning Division, Environmental Health
 - c. Implementing Party
 - d. Type of Mitigation: Design, Ongoing, Cumulative
-

Public Services:

1. The developer shall provide the Department of Public Works with a “will serve” letter from the Chalfant Valley Fire Protection Department indicating approval of fire protection and suppression components of the proposed project design and that the department will provide service to the proposed parcels. The project shall comply with the following minimum requirements in order to increase fire safety:
 - All buildings on adjoining lots shall be a minimum of 30 feet apart. For lots 1-8, the rear yard setback shall be 30’. For lot 25, the western side yard setback shall be 30’. For all other lots less than one acre in size the side and rear yard setbacks shall be 15’.

Note: The rear yard setbacks may be reduced for lots 1-8 and the western side yard setback may be reduced for lot 25, if existing buildings on the adjoining lots within the existing subdivision have at least a 15’ setback from the applicable rear or side property lines. If a property within the existing subdivision that adjoins lots 1-8 or 25 is vacant, the applicable rear or side yard setback shall be 30.

- Each house/parcel shall have a standardized propane shutoff box.
- The propane tanks for the project shall be located on the lot designated for utility uses.
- The facilities for the propane tanks shall include a containment facility and automatic shutoff valves.
- The project shall have illuminated house numbers on each residence.
- The Fire District shall review the hydrant plan prior to approval of the Final Tract Map.
- A hydrant shall be installed by the water tanks.

Fire mitigation fees shall be collected as part of the building permit application process. Prior to acceptance of subdivision improvements by the Department of Public Works, the developer shall furnish documentation from the district indicating that improvements satisfactorily meet district requirements.

(EIR Mitigation Measure PS-2, H-2 and Specific Plan Program 13-B)

- a. The “will serve” requirement must be satisfied prior to final approval of the tract map. The latter requirement shall be furnished prior to release of surety posted for subdivision improvements.
- b. Department of Public Works
- c. Applicant
- d. Design

- ~~2. Consistent with recreation objectives identified for the Tri Valley area in the Land Use Element, the developer shall contribute improvements and/or in lieu fees for the Chalfant community park or an alternate location agreed upon by the developer and Department of Public Works. The cost for recreation improvements and/or in lieu fees shall not be less than \$40,000. Any improvements to the Chalfant community park shall be approved by the Department of Public Works and shall be completed concurrent with subdivision improvements.
(EIR Mitigation Measure PS5 and Specific Plan Program 17-A)~~
- ~~a. Must be satisfied prior to final approval of the tract map.~~
~~b. Department of Public Works~~
~~c. Applicant~~
~~d. Design~~
3. The developer shall contribute mitigation fees to the County for project impacts to emergency medical facilities, school facilities, and law enforcement services in Chalfant.
(EIR Mitigation Measures PS-3 and PS-4 and Specific Programs 14-A, 15-A, and 16-A)
- a. Must be satisfied prior to final approval of the tract map.
b. Department of Public Works
c. Applicant
d. Design

Geology and Soils:

4. Grading permits shall be required as specified in Mono County Code Section 13.08.030, et seq. Activities requiring a grading permit include, but are not limited to, land clearing and grading activities that clear more than 10,000 square feet, result in cuts greater than 4 feet or fill greater than 3 feet, or involve more than 200 cubic yards of cut or fill. Construction resulting in the alteration of a drainage course also requires a grading permit.
(EIR Mitigation Measures GS-1, AQ-4 and Specific Plan Conservation Standard CS-8)
- a. Requires monitoring over time; usually linked to future development associated with approval of grading, driveway and/or road improvements, and residential construction.
b. Department of Public Works
c. Applicant / Property Owner
d. Design / Ongoing
5. Drainage and erosion-control plans shall be required of residential construction involving more than 5,000 square feet of pad area disturbed, including secondary or accessory structures on any one parcel, at any one time. Drainage and erosion control plans shall also be required for construction on any one parcel that cumulatively exceeds 10,000 square feet. If plans are required, plans will be developed by the individual project applicant with review and concurrence by the Mono County Department of Public Works, Community Development Department / Building Division, and applicable federal and/or state agencies.
(EIR Mitigation Measure GS-1, AQ-4 and Specific Plan Conservation Standard CS-8)
- a. Requires monitoring over time; usually linked to future development associated with approval of grading, driveway and/or road improvements, and residential construction.
b. Department of Public Works, Community Development Department / Building Division, and applicable federal and/or state agencies
c. Applicant / Property Owner
d. Design / Ongoing

6. Building envelopes and driveways shall be established on the Final Phased Tract Maps for all lots adjacent to drainage channels, all lots affected by Alquist Priolo fault hazards, and lots on which Secondary Units may be allowed (for each particular phase). The land use plan shall also indicate lots where Secondary Units may be allowed. On lots larger than one acre in size, where large animals such as horses are allowed, animal confinement areas shall also be established on the Final Tract Map in order to reduce site disturbance, protect vegetation, and to ensure that there is sufficient area for the leach field, replacement field, and animal areas. Building envelopes for each residential parcel shall be located to avoid development on ridgelines or ridgetops, when feasible, and to minimize cut and fill. (EIR Mitigation Measures GS-2, GS-3, AQ-5, AQ-6, VW-4, VR-10 and Specific Plan Conservation Standards CS-9 and CS-10).
 - a. Requires monitoring over time; usually linked to future development associated with approval of grading, driveway and/or road improvements, and residential construction.
 - b. Department of Public Works and Community Development Department / Planning Division
 - c. Applicant / Property Owner
 - d. Design / Ongoing
7. During all phases of construction, erosion-control measures shall be applied to disturbed areas and shall include the use of Best Management Practices such as placement of fiber blankets, fiber rolls, filter fencing, or similar materials. Removed topsoil shall be stockpiled and replaced over disturbed areas at, or prior to, the completion of construction. Redistribution of topsoil and revegetation of disturbed areas shall occur as soon as practical following construction and the use of stabilization material or landscaping shall be required to reduce impacts related to erosion. Use of native seed and/or native plants grown from seeds or seedlings obtained from local native stock is encouraged. Revegetated areas shall be irrigated as necessary to establish the plants. (EIR Mitigation Measures VW-9, VW-10 and Specific Plan Conservation Standards CS-27, CS-28)
 - a. Requires monitoring over time; usually linked to future development associated with approved residential construction.
 - b. Community Development Department / Building and Planning divisions
 - c. Applicant / Property Owner
 - d. Design / Ongoing
8. To prevent wind erosion and public nuisance created by dust, property owners shall refrain from clearing native vegetation except as necessary for impending or same-year construction. In addition, land disturbance (grading, cut and fill) for road construction, infrastructure installation, and building construction shall be limited to the areas identified on the final tract map for roads, utilities, building envelopes, and driveways. (EIR Mitigation Measure GS-4, AQ-7, VR-11 and Specific Plan Conservation Standard CS-11)
 - a. Requires monitoring over time; usually linked to future development associated with approved residential construction.
 - b. Community Development Department / Building and Planning divisions
 - c. Applicant / Property Owner
 - d. Design / Ongoing
9. All disturbed soil surfaces resulting from construction of improvements shall be stabilized within one year of completion of subdivision improvements. All exposed surfaces shall be stabilized prior to the onset of winter weather if such work is to be completed the following year.
 - a. Must be made part of the subdivision improvement plans approved for the project.
 - b. Department of Public Works
 - c. Applicant

d. Design

10. For all phases of subdivision and parcel development, controls shall be instituted to reduce the impact of dust. Such controls are to include watering and mulching of disturbed areas or by other approved methods, e.g.:

- All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering shall occur at least twice daily with complete coverage
- Speed limits on the construction site shall be reduced to minimize dust and windborne erosion.
- Initiation of revegetation efforts should commence as soon as practical after construction.
- All clearing, grading, earth moving, or excavation activities shall cease during periods or high winds (i.e. greater than 25 miles per hour averaged over one hour).
- Adjoining streets shall be washed or swept clean of tracked-out vehicle.
- All material transported on-site or off-site shall be sufficiently watered or securely covered to prevent excessive amounts of dust.
- All trucks hauling excavated or graded material off-site shall comply with State Vehicle Code Section 23114, which contains requirements for covering loads so materials do not blow or fall from a truck.

(EIR Mitigation Measures GS-5, GS-6, GS9-12, AQ8-9, AQ 12-15 and Specific Plan Conservation Standard CS-12, CS-13, CS16-19)

- a. Requires monitoring over time; usually linked to future development associated with approved residential construction.
- b. Community Development Department / Building and Planning divisions
- c. Applicant / Property Owner
- d. Design / Ongoing

11. Construction material (rock, debris, etc.) that is not utilized as fill material in the construction of improvements shall be removed to a permitted disposal site or other site approved by the Department of Public Works. All material proposed for fill shall be approved by a geotechnical engineer prior to placement in the project.

(EIR Mitigation Measure GS-7, AQ-10 and Specific Plan Conservation Standard CS-14)

- a. Must be made part of the subdivision improvement plans approved for the project.
- b. Department of Public Works
- c. Applicant
- d. Design

12. The applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) and submit a Notice of Intent (NOI) to the Lahontan Regional Water Quality Control Board in compliance with provisions of the State Water Resources Control Board's Storm Water NPDES Permit for Construction Activities. The project shall comply with the Lahontan Basin Project Guidelines for Erosion Control. The developer shall furnish approved copies of the SWPPP and NOI to the Department of Public Works prior to its issuance of a grading permit for construction of subdivision improvements.

(EIR Mitigation Measure GS-8, AQ-11 and Specific Plan Conservation Standard CS-15)

- a. Must be satisfied prior to final approval of the tract map.
- b. Department of Public Works
- c. Applicant
- d. Design

13. The developer shall provide a soils report to, or request a soils report waiver from, the Department of Public Works. Any such report or request for waiver, acceptable to the Director of Public Works, shall comply with the provisions of Mono County Code Section 17.36.090.
(EIR Mitigation Measure GS-13 and Specific Plan Conservation Standard CS-33)
- a. Must be satisfied prior to final approval of the tract map.
 - b. Department of Public Works
 - c. Applicant
 - d. Design

Vegetation and Wildlife:

14. Land uses on Lot D shall be limited to non-motorized passive recreational activities (e.g. hiking, birdwatching, wildlife viewing, horseback riding) and signs shall be posted at the entrances to the parcel reiterating the prohibition on motorized vehicles.
(EIR Mitigation Measure VW-1 and Specific Plan Conservation Standard CS-23)
- a. Requires monitoring over time; usually linked to future development associated with approved residential construction.
 - b. Community Development Department / Planning Division
 - c. Applicant / Homeowner's Association
 - d. Design / Ongoing
15. Any additional density on the remainder parcel beyond one single-family residential unit with one connection to the community water supply system shall require regulatory approval through the Specific Plan process with associated CEQA documents. Any potential impacts to the spring or surrounding riparian habitat areas identified in the CEQA documents shall be avoided or fully mitigated.
(EIR Mitigation Measure VW-2 and Specific Plan Conservation Standard CS-24)
- a. Requires monitoring over time; usually linked to future development associated with approved residential construction.
 - b. Community Development Department / Planning Division
 - c. Applicant / Property Owner
 - d. Design / Ongoing
16. If vegetation clearing is required during the avian breeding season, a qualified biologist, paid for by the developer, shall survey the area affected and if active nests are located, a protective buffer of 100 feet shall be established around the nests to be avoided until the young have fledged.
(EIR Mitigation Measure VW-3 and Specific Plan Conservation Standard CS-25)
- a. Requires monitoring over time; usually linked to future development associated with approved residential construction.
 - b. Community Development Department / Building Division
 - c. Applicant / Homeowner's Association
 - d. Design / Ongoing
17. Dogs belonging to individuals involved in construction activities shall be prohibited in the project area during construction phases or under the owner's complete control at all times.
(EIR Mitigation Measure VW-6 and Conservation Standard CS-21)
- a. Requires monitoring over time; usually linked to future development associated with approved residential construction.
 - b. Community Development Department / Building and Planning divisions

- c. Applicant / Property Owner
 - d. Design / Ongoing
18. Domestic animals shall be restrained at all times, either through the use of leashes or private fenced areas. No animals shall be allowed to be free roaming. Horses and other grazing animals shall be penned or tethered. This requirement shall be reiterated in the project CC & Rs.
(EIR Mitigation Measure VW-5 and Specific Plan Conservation Standard CS-20)
- a. Requires monitoring over time; usually linked to future development.
 - b. Community Development Department / Planning Division
 - c. Applicant / Property Owner
 - d. Ongoing
19. During construction, project boundaries shall be clearly delineated in order to avoid disturbances to surrounding off-site vegetation and soils
(EIR Mitigation Measure VW-8 and Specific Plan Conservation Standard CS-26)
- a. Requires monitoring over time; usually linked to future development associated with approved residential construction.
 - b. Community Development Department / Building Division
 - c. Applicant / Property Owner
 - d. Design / Ongoing
20. The project proponent shall work with LADWP and BLM to identify authorized trail/route access from the community across adjacent LADWP and BLM lands. Where feasible, existing roads/trails shall be used. The route(s) shall be identified prior to approval of the final tract map and shall be marked with signs at the property boundary. The signs shall be installed prior to the development of any housing and shall inform recreational users of LADWP and BLM lands of prohibited uses on those lands. The Homeowner's Association shall be responsible for maintaining the signs. The CC & Rs for the project shall inform all residents of BLM policies that prohibit cross-country vehicle use on adjacent public lands and limit that vehicle use to designated roads and trails. The project proponent shall also work with LADWP and BLM to place signs along the public land/private subdivision boundary along the north and south sides of the project site in order to reduce trespass on public lands. The Homeowner's Association shall be responsible for maintaining the signs. The signs shall be installed prior to the development of any housing. Access points shall be finalized and shown on the map prior to recording the final tract map.
(EIR Mitigation Measure VW-11 and Specific Plan Conservation Standards CS-30, CS-31)
- a. Requires monitoring over time; usually linked to future development.
 - b. Community Development Department / Planning Division
 - c. Applicant / Homeowner's Association
 - d. Design / Ongoing

Visual Resources:

21. The project shall not have streetlights unless required for safety at intersections. Streetlights shall be shielded and directed so that no light emanates beyond the street. Exterior lighting at individual residences shall be limited to that necessary for safety reasons. Exterior lighting shall be concealed, high intensity lighting shall be avoided, and lighting shall be shielded and directed so that it does not emanate beyond the boundaries of each individual lot. This requirement shall be reiterated in the CC & Rs for the project.
(EIR Mitigation Measures VR-1, VR-2 and Specific Plan Design Standard DS-7, DS-8)

- a. Requires monitoring over time; usually linked to future development.
 - b. Community Development Department / Building and Planning Divisions
 - c. Applicant / Property Owner
 - d. Design / Ongoing
22. The project shall comply with the provisions of the Mono County Sign Ordinance, Chapter 7 of the Land Development Regulations, specifically with Section 07.020 (D), Real Estate Signs.
(EIR Mitigation Measures VR-6 and Specific Plan Design Standard DS-14)
- a. Requires monitoring over time; usually linked to future development.
 - b. Community Development Department / Planning Divisions
 - c. Applicant
 - d. Design / Ongoing
23. The developer shall extend all applicable utilities (electricity, telephone, propane, cable TV, etc.) to the property line of each parcel. The location and design of utilities shall be included on improvement plans submitted to the Department of Public Works for review and approval. All new on-site utility extensions shall be installed underground.
(EIR Mitigation Measures VR-7 and Specific Plan Design Standard DS-16)
- a. Utility extension to lot lines must be satisfied prior to approval of the tract map. Future extension requires monitoring over time, usually associated with approved residential construction.
 - b. Department of Public Works and Community Development Department / Building division
 - c. Applicant / Property Owner
 - d. Design / Ongoing
24. The developer shall provide a “will serve” letter from the local postal authority indicating its intent to serve the subdivision and stating its approval of subdivision street names and the location and design of cluster mailboxes for the development. The location and design of cluster mailboxes shall be included on improvement plans submitted to the Department of Public Works for review and approval. The mailboxes shall be painted a muted dark earth tone (i.e. tan, green, brown, gray) that blends in with the surrounding environment and is non-reflective
(EIR Mitigation Measures VR-8 and Specific Plan Design Standard DS-18)
- a. Utility extension to lot lines must be satisfied prior to approval of the tract map. Future extension requires monitoring over time, usually associated with approved residential construction.
 - b. Department of Public Works and Community Development Department / Building division
 - c. Applicant / Property Owner
 - d. Design / Ongoing
25. Future residential development should not dominate the natural environment and should complement existing rural character. The siting of a project and the scale, design, color and building materials for structures and fences shall harmonize with existing development in the area, the surrounding natural environment, and on-site topography. The following design guidelines are encouraged for all development:
- A. Building areas for each lot shall be selected to reflect sensitivity to on-site topography and potential visual obstructions.
 - B. Roofing materials shall be non-reflective and shall be in a natural dark earth tones (i.e., brown, dark green, or similar colors).
 - C. Bright colors or reflective materials shall not be used for any component of any structure.

- D. Siding materials shall have a natural appearance compatible with the surrounding environment. The use of indigenous rock shall be encouraged.
- E. Siding materials shall be stained, painted or otherwise finished in muted earth tones (i.e. dark tans, browns, grays, or green)s in order to blend into the surrounding environment.
- F. Colors and materials for fences shall be muted and shall blend with the surrounding natural environment.
- G. Building heights for residential development shall be limited to a maximum of 35 feet from any given point above grade. All heights shall be calculated from the natural grade or finished grade, whichever is more restrictive.

(EIR Mitigation Measures VR-3-5 and Specific Plan Design Standards DS-11-13)

- a. Requires monitoring over time. Associated with approved residential construction.
- b. Community Development Department / Building and Planning divisions
- c. Applicant / Property Owner
- d. Design / Ongoing

26. Visually offensive land uses such as well and water storage facilities, trash receptacles, propane tanks, and out-building structures shall be adequately screened through the use of landscaping, fencing, contour grading, or other appropriate measures, including the use of an appropriate paint color and finish that blends into the surrounding visual environment. Paint color and finish shall be approved by the Planning Director. Landscaping shall occur as shown on the Master Landscape Plan in the White Mountain Estates Specific Plan. The use of larger planting stock is encouraged to accelerate the process of visual screening. Young plants shall be protected from deer and rodents until they are established (e.g., a 5-foot wire fence or vexar tubing has been found to work well to protect seedlings from deer).

(EIR Mitigation Measures VR-9 and Specific Plan Design Standards DS-19)

- a. Requires monitoring over time. Associated with approved residential construction.
- b. Community Development Department / Planning division
- c. Applicant / Property Owner
- d. Design / Ongoing

27. Landscaping on individual residential lots shall be predominantly xeriscape (i.e. 65 percent of landscaping on an individual lot shall be xeriscape) and fire safe. The requirement for xeriscapic and fire safe landscaping shall be reiterated in the CC & Rs for the project. See Design Standard DS-21 in the White Mountain Estates Specific Plan for specific provisions regarding xeriscape and fire safe landscaping.

(EIR Mitigation Measures VR-9, WR-1, H-3 and Specific Plan Design Standards DS-19, DS-21)

- a. Requires monitoring over time. Associated with approved residential construction.
- b. Community Development Department / Planning division
- c. Applicant / Property Owner
- d. Design / Ongoing

Cultural Resources:

28. The project proponent shall stop work and notify the County and local Native American tribal contacts if archaeological evidence and/or human remains or unmarked cemeteries ~~is~~ are encountered during ground-disturbing activities. No disturbance of such a site shall be permitted until such time as the applicant hires a certified archaeologist and an archaeological survey that identifies acceptable site mitigation measures is filed with the County Planning Department.

Native American monitors shall be onsite during the archaeological survey to ensure the proper identification and care of cultural resources. The disposition of any recovered artifacts shall be made in consultation with local tribal contacts. In the event of the accidental discovery of human remains, Health and Safety Code §7050.5, Public Resources Code §5097.98, and CEQA Guidelines §15064.5 (d) shall be consulted for the proper procedure to follow. Road construction/grading plans shall include a copy of this mitigation measure.

(EIR Mitigation Measure CR-1, Specific Plan Conservation Standard CS-32)

- a. Generally associated with future development, but may occur any time construction is in progress. Requires monitoring over time.
- b. Community Development Department / Planning Division
- c. Applicant / Property Owner
- d. Design / Ongoing

Circulation:

29. The developer shall install an enclosed, shaded bus stop to serve the subdivision. The design shall be equivalent to existing covered bus stops in the county (e.g., YARTS) and its location shall be agreed upon by the Mono County Department of Public Works, the developer, the Eastern Sierra Unified School District, and Inyo-Mono Transit. The location and design of the shelter shall be included on improvement plans submitted to the Department of Public Works for review and approval.

(EIR Mitigation Measure C-6 and Specific Plan Circulation Program 7-A)

- a. Must be satisfied prior to final approval of the tract map.
- b. Department of Public Works
- c. Applicant
- d. Design

30. The developer shall construct improvements to the intersection of U.S. Highway 6 and White Mountain Estates Road pursuant to requirements specified by Caltrans and the County. A copy of the encroachment permit issued by Caltrans shall be furnished by the developer to the Department of Public Works.

(EIR Mitigation Measure C-3 and Specific Plan Policy 5-B and Program 5-B)

- a. Must be satisfied prior to final approval of the tract map.
- b. Department of Public Works
- c. Applicant
- d. Design

31. The developer shall relocate the existing cattle guard on White Mountain Estates Road to a straight section of road and pay in-lieu fees that would allow the County to rehabilitate the easterly 900-foot portion of White Mountain Estates Road by grinding and re-compacting existing pavement followed by a 0.25-foot overlay with PG64-28PM hot mix asphalt. The developer's 900-foot portion is approximately 20% of a larger County rehabilitation project on White Mountain Estates Road. If the County constructs the improvements prior to recordation of the final map, then the developer shall also pay 20% of the County's costs of engineering, pulverization, and the .025-foot overlay, based on the lowest responsible bid prior to contract award. After the road rehabilitation project is completed, and before final approval of the map, the developer shall also pay 20% of the costs of the actual quantity of materials, materials testing, and construction management incurred by the County in constructing the required improvements, along with any adjustment (upward or downward) in the costs of engineering, pulverization, and the 0.25-foot overlay realized during construction. If the developer records the final map prior to the construction of the required improvements by the County, then the developer shall pay to the County 100% of all estimated costs associated with the developer's share of the project and enter into an agreement with the County providing for the payment of an additional amounts by the

developer (or for offset of amounts overpaid) base on the developer's share of actual costs, prior to recording of the final map, as determined following project completion. Estimated costs will be based upon engineer's estimate prepared by the County.

~~The developer shall additionally install, or pay in lieu fees to County in the amount of County's costs to design, plan, and install, as a traffic calming measure, a "tabletop speed hump" on White Mountain Estates Road west of Sequoia Street. Installation (or payment of the in lieu fees) must occur prior to recording of the final map, unless the developer enter into a subdivision improvement agreement (including bonding) with the County which provides for the installation of the tabletop speed hump no later than following the sale of five lots in the subdivision. In lieu fees shall be based on a cost estimate prepared by a licensed engineer. Developer shall additionally enter into an agreement with the County providing for the payment of any additional amounts by the developer (or for offset of amounts overpaid) based on the actual costs of designing, planning, and installing the improvement. The hump shall be constructed in conformance with drawing number R-403A of the Standard Detail of Public Works Construction, Reno section.~~

(Specific Plan Policy 5-D and Program 5-D)

- a. Must be satisfied prior to final approval of the tract map.
 - b. Department of Public Works
 - c. Applicant
 - d. Design
32. The developer shall construct paved subdivision streets in accordance with County Road Improvement Standards for County-maintained residential streets (ref. plate 8 or 9). An alternate street design consisting of narrower travel lanes in exchange for expanded bike and pedestrian access improvements will be considered by the Department of Public Works. Earthwork activities and construction of all subdivision improvements, including, but not limited to, streets, upgrades to White Mountain Estates Road and U.S. Highway 6, drainage facilities, utilities, bike and pedestrian improvements (if any), mailbox cluster(s), and a bus stop, shall be conducted in accordance with improvement plans prepared by a civil engineer licensed in the State of California and approved by the Department of Public Works. An estimate of construction costs for subdivision improvements shall be prepared by a licensed civil engineer for review and approval by the Department of Public Works. Construction of subdivision improvements shall be conducted under authority of a grading permit issued by the Department of Public Works and encroachment permits issued by the Department of Public Works and Caltrans. All costs for improvement installation, testing, inspections, and any related reports, plans and specifications shall be the responsibility of the developer.
(EIR Mitigation Measure C-1, C-2, and C-5 and Specific Plan Policy 5-A, Program 5-A, and Program 6-A)
- a. Must be satisfied prior to final approval of the tract map.
 - b. Department of Public Works
 - c. Applicant
 - d. Design
33. The developer shall establish a zone of benefit within the Countywide County Service Area for the extension of County services to the subdivision, including snow removal and the ongoing maintenance, repair, and ultimate replacement of subdivision streets, drainage facilities, and other improvements to be accepted by the County. The annual costs shall be extended to all lots within the subdivision and shall be adjusted annually for inflation. The initial annual costs shall be determined by an engineer's report prepared by a civil engineer licensed in the state of California, which shall be submitted for review and approval by the Department of Public Works.
(EIR Mitigation Measures C-4, H-6 and Specific Plan Program 5-C)

- a. Must be satisfied prior to final approval of the tract map.
- b. Department of Public Works
- c. Applicant
- d. Design

Noise:

34. Construction shall be limited to daylight hours (or per Mono County Code 13.08.290, whichever is more restrictive) in accordance with Mono County Code Chapter 10.16 (Noise Regulation) in order to minimize impacts to nocturnal resident wildlife species and adjacent sensitive noise receptors.
(EIR Mitigation Measures VW-7 and N-1, Specific Plan Conservation Standards CS-1 and CS-22)

- a. Requires monitoring over time; usually linked to future development associated with approved residential construction.
- b. Community Development Department / Building and Planning divisions
- c. Applicant / Property Owner
- d. Design / Ongoing

35. Noise levels during construction shall be kept to a minimum by equipping all on-site equipment with noise-attenuation devices and by compliance with all requirements of Mono County Code Chapter 10.16 (Noise Regulation).

(EIR Mitigation Measure N-2, Specific Plan Conservation Standard CS-2)

- a. Requires monitoring over time; usually linked to future development associated with approved residential construction.
- b. Community Development Department / Building and Planning divisions
- c. Applicant / Property Owner
- d. Design / Ongoing

36. During all construction activities, all stationary construction equipment shall be placed so that emitted noise is directed away from sensitive receptors nearest the project site, i.e. existing residential development at White Mountain Estates subdivision.

(EIR Mitigation Measure N-3, Specific Plan Conservation Standard CS-3)

- a. Requires monitoring over time; usually linked to future development associated with approved residential construction.
- b. Community Development Department / Building and Planning divisions
- c. Applicant / Property Owner
- d. Design / Ongoing

37. During all construction activities, equipment staging areas shall be located the greatest distance possible from the nearest sensitive noise receptors, i.e. residential uses in the existing White Mountain Estates subdivision.

(EIR Mitigation Measure N-4, Specific Plan Conservation Standard CS-4)

- a. Requires monitoring over time; usually linked to future development associated with approved residential construction.
- b. Community Development Department / Building and Planning divisions
- c. Applicant / Property Owner
- d. Design / Ongoing

Air Quality:

38. Only energy star rated heating systems and appliances shall be installed in the residences. No units shall have wood-burning appliances as the primary heating source.

(EIR Mitigation Measure AQ-1 ,Specific Plan Conservation Standard CS-5)

- a. Requires monitoring over time; usually linked to future development associated with approved residential construction. Must be satisfied prior to issuance of a building permit and/or certificate of occupancy.
 - b. Community Development Department / Building Division
 - c. Applicant / Property Owner
 - d. Design / Ongoing
39. All wood-burning devices installed in the project shall be Phase II EPA certified, in conformance with the Mono County General Plan (Conservation / Open Space Element, Public Health and Safety Policies, Objective A, Action 6.1). This requirement shall be reiterated in the (EIR Mitigation Measure AQ-2, Specific Plan Conservation Standard CS-6)
- a. Requires monitoring over time; usually linked to future development associated with approved residential construction. Must be satisfied prior to issuance of a building permit and/or certificate of occupancy.
 - b. Community Development Department / Building Division
 - c. Applicant / Property Owner
 - d. Design / Ongoing
40. An air quality permit shall be obtained from the Great Basin Unified Air Pollution Control District for subdivision improvements. The developer shall provide a copy of the permit to the Department of Public Works prior to its issuance of a grading permit for construction of subdivision improvements. (EIR Mitigation Measure AQ-3, Specific Plan Conservation Standard CS-7)
- a. Must be satisfied prior to final approval of the tract map.
 - b. Department of Public Works
 - c. Applicant
 - d. Design

Water Resources:

41. Water conserving fixtures shall be installed in all development on-site, including all residential structures and irrigation systems. This requirement shall be reiterated in the CC & Rs for the project. (EIR Mitigation Measure WR-2, Specific Plan Conservation Standard CS-40)
- a. Requires monitoring over time; usually linked to future development associated with approved residential construction. Must be satisfied prior to issuance of a building permit and/or certificate of occupancy.
 - b. Community Development Department / Building Division
 - c. Applicant / Property Owner
 - d. Design / Ongoing
42. Prior to approval of the Final Tract Map, the White Mountain Mutual Water Company, or the CSA, shall submit a complete permit application for an expanded integrated water system to serve the existing and proposed development and shall receive a domestic water permit for such a system from the Mono County Department of Environmental Health. The expanded water system may be developed in phases as outlined in Land Use Program 1-D. In any case, the components of the expanded water system necessary to serve Phase I of the development shall be installed, passed final inspection, and fully operational prior to recording the Final Tract Map.

If the Board of Supervisors establishes a service entity other than the White Mountain Mutual Water Company or the CSA, the project applicant, along with that provider shall submit complete permit application for an expanded integrated water system to serve the existing and proposed development and shall receive a domestic water permit for such a system from the Mono County Department of Environmental Health. The water system may be developed in phases as outlined in Land Use Program 1-D. In any case, the components of the expanded water system necessary to serve Phase I of the development shall be installed, passed final inspection, and fully operational prior to recording the Final Tract Map.

(EIR Mitigation Measure WR-3, Specific Plan Conservation Standard CS-41)

- a. Must be satisfied prior to approval of the final tract map.
 - b. Environmental Health
 - c. Applicant
 - d. Design
43. The Technical, Managerial and Financial Capacity report required with the permit application for an expanded water system shall determine the source capacity of the two wells for the proposed project, or the developer's qualified hydrologist may propose an alternative measure for determining the apparent long term yield for review by the Environmental Health Department. The Technical Report must take into consideration the water demand attributable to secondary residences that may be constructed on the proposed project and on the existing White Mountain Estates subdivision. If the data and conclusions in the report do not meet regulatory requirements, the Mono County Environmental Health cannot issue a permit for an expanded water system. In that case, the applicant may choose to redesign the project and complete additional CEQA analysis on the redesigned project.

(EIR Mitigation Measure WR-4, Specific Plan Conservation Standard CS-42)

- a. Must be satisfied prior to approval of the final tract map.
 - b. Environmental Health
 - c. Applicant
 - d. Design
44. If the water system is not the White Mountain Mutual Water Company or a CSA serving the existing and proposed development, the water system operator shall ensure that the new wells constructed for the project are not impacting the existing well operated by the White Mountain Estates Mutual Water Company.

The well maintenance program for the onsite water system shall include annual monitoring as required by the State. As part of that monitoring process, the level of the water table shall be measured in all of the wells utilized by the system, as well as in the wells owned and operated by the White Mountain Mutual Water Company.

If the static water level in any of the wells decreases by 20 feet or more in one year, then landscape watering in the proposed development shall be restricted during the summer months (June 1-September 30).

If the static water level rebounds fully by the following annual monitoring, landscape watering shall not be restricted.

If the static water level remains at a decreased level for a second year, any second units allowed by the Specific Plan that have not been built at that point in time shall not be allowed until the static water level has rebounded and remained at a higher level for five consecutive years.

A water conservation schedule, identifying trigger points in well water levels and corresponding restrictions in landscape watering, shall be developed and approved by the Mono County Department of Environmental Health prior to approval of the Final Tract Map
(EIR Mitigation Measure WR-5, Specific Plan Conservation Standard CS-43)

- a. Must be satisfied prior to approval of the final tract map.
 - b. Environmental Health
 - c. Applicant / Water System Operator
 - d. Design / Ongoing
45. Installation of individual sewage disposal systems will be required on each parcel at the time of future residential development. Prior to final map approval, however, the developer shall submit a soils suitability report, prepared by a civil engineer licensed in the state of California, supporting the suitability of soils for installation of individual sewage disposal systems. At a minimum, the report shall contain two percolation test results and one soil profile results for each new parcel to be created or alternate testing as approved by Mono County Environmental Health. The report shall document, to the satisfaction of Mono County Environmental Health, that the soil structure meets or exceeds applicable state and county standards for siting and installation of individual sewage disposal systems.
(EIR Mitigation Measure WR-6, Specific Plan Conservation Standard CS-44)
- a. Must be satisfied prior to approval of the final tract map.
 - b. Environmental Health
 - c. Applicant / Water System Operator
 - d. Design / Ongoing
46. The developer shall submit a plot plan, acceptable to Mono County Environmental Health, identifying designated areas for individual sewage disposal systems on each parcel. The plot plan shall be prepared by a civil engineer licensed in the state of California. The plot plan shall identify both the primary sewage disposal area and an area for future sewage disposal, described as a replacement area, equal to 100% of the primary sewage disposal area, should the primary system fail. The siting of individual sewage disposal systems shall comply with the Lahontan Regional Water Quality Control Board's (RWQCB) criteria contained in the Water Quality Control Plan for the Lahontan region. Leach fields and septic tanks shall be sited a minimum of 100 feet from any domestic well and a minimum of 50 feet from any drainage course. Alternative systems, if proposed, shall be reviewed and approved by Mono County Environmental Health and shall conform to RWQCB requirements.
- a. Must be satisfied prior to final approval of the tract map.
 - b. Environmental Health
 - c. Applicant
 - d. Design
47. A minimum 100-foot horizontal setback shall be provided from any livestock facility (corrals, etc.) and animal or fowl enclosure to any well.
- a. Requires monitoring over time; usually linked to future development.
 - b. Community Development Department / Building and Planning divisions
 - c. Applicant / Property Owner
 - d. Design / Ongoing

Hazards:

48. The project, as well as future development, shall comply with California State Fire Codes as well as with the Mono County Fire-Safe Regulations (Mono County General Plan, Land Use Element, Section VI, Land Development Regulations, Chapter 22) pertaining to emergency access, signing and building numbering, emergency water supplies and vegetation modification.
(EIR Mitigation Measure H-1, Specific Plan Program 13-A)
- a. Requires monitoring over time; usually linked to future development associated with approved residential construction. Must be satisfied prior to issuance of a building permit and/or certificate of occupancy.
 - b. Community Development Department / Building Division
 - c. Applicant / Property Owner
 - d. Design / Ongoing
49. The developer shall furnish a drainage report, prepared by a civil engineer licensed in the state of California and approved by the Department of Public Works, addressing the hydrologic analysis and hydraulic design of all drainage facilities to be constructed to route on-site and off-site storm flows through the subdivision. Analysis of any improvements necessary to handle storm flows upstream of and downstream from the subdivision shall be addressed. The developer shall furnish documentation to the Department of Public Works verifying authorization to discharge storm flows downstream of the subdivision and providing access rights to construct off-site improvements, if necessary.
(EIR Mitigation Measure H-4, H-5 and Specific Plan Policy 10-A and Program 10-A)
- a. Must be satisfied prior to final approval of the tract map.
 - b. Department of Public Works
 - c. Applicant
 - d. Design



RESOLUTION NO. 07-82
BOARD OF SUPERVISORS, COUNTY OF MONO

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS
CERTIFYING AND ADOPTING THE WHITE MOUNTAIN ESTATES FINAL
ENVIRONMENTAL IMPACT REPORT, APPROVING THE WHITE MOUNTAIN
ESTATES SPECIFIC PLAN, APPROVING GENERAL PLAN AMENDMENT 06-01,
APPROVING TENTATIVE TRACT MAP 37-46, AND MAKING CERTAIN FINDINGS
WITH RESPECT TO EACH OF THOSE ACTIONS**

WHEREAS, the White Mountain Estates Specific Plan project is comprised of the White Mountain Estates Specific Plan Final Environmental Impact Report (FEIR), the White Mountain Estates Specific Plan, General Plan Amendment 06-01, and Tentative Tract Map 37-46; and

WHEREAS, the White Mountain Estates Specific Plan and Tentative Tract Map 37-46 concern the subdivision of Assessor's Parcels # 26-240-09 and # 26-240-10; and

WHEREAS, the White Mountain Estates Specific Plan and General Plan Amendment 06-01 concern the General Plan re-designation of Assessor's Parcel # 26-240-09 and # 26-240-10 from Rural Mobile Home (RMH) to Specific Plan (SP) (Land Use Map Figure 98); and

WHEREAS, Mono County prepared an Environmental Impact Report for the above project, called the White Mountain Estates Specific Plan Final Environmental Impact Report (FEIR); and

WHEREAS, on November 20, 2007, the Mono County Board of Supervisors held a noticed and advertised public hearing to hear all testimony and comment relevant to the White Mountain Estates Specific Plan FEIR, the White Mountain Estates Specific Plan, Tentative Tract Map 37-46, and General Plan Amendment 06-01.

1 **NOW, THEREFORE, BE IT RESOLVED** that the Mono County Board of Supervisors certifies
2 and adopts the White Mountain Estates Specific Plan FEIR and associated mitigation monitoring
3 program, finding that:

- 4 1. In compliance with Section 15090(a) of the California Environmental Quality Act
5 (CEQA) Guidelines:
6 a. The FEIR was been completed in compliance with CEQA;
7 b. The FEIR was presented to this Board as the decision-making body of Mono County,
8 the lead agency on this project, and that the Board reviewed and considered the
9 information contained in the FEIR prior to taking the actions in the Resolution; and
10 c. The FEIR reflects Mono County's independent judgment and analysis.
11
- 12 2. Based on evidence in the FEIR, all potentially significant impacts of the project
13 described therein have been reduced to less-than-significant levels through mitigation
14 measures.

15
16 **NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Mono County Board of
17 Supervisors approves General Plan Amendment 06-01, which re-designates Assessor's Parcel #26-
18 240-09 and # 26-240-10 from Rural Mobile Home (RMH) to Specific Plan (SP).

19 In approving General Plan Amendment 06-01, the Board of Supervisors finds that:

- 20 1. The change in land use designation is consistent with the text and maps of the General Plan
21 because:
22 The change from Rural Mobile Home (RMH) to Specific Plan (SP) is consistent with
23 General Plan policies that direct the County to utilize the specific plan process for large-
24 scale projects.
25
- 26 2. The change in land use designation is consistent with the goals and policies contained within the
27 applicable area plan because:
28 The change in land use designation is consistent with policies in the Tri-Valley Area Plan
29 that encourage residential development in areas where the proposed development would
30 minimize impacts to surrounding agricultural lands and public lands, and that promote the
preservation of agricultural lands and the avoidance of incompatible land uses, such as
residential uses, in areas adjacent to agricultural lands.
- 31 3. The site of the change in land use designation is suitable for the land uses permitted within that
land use designation because:
The site is adjacent to existing paved roads and utilities, as well as to existing single-family
residential development, and the site is suitable for the proposed residential uses.

1
2 4. The change in land use designation is reasonable and beneficial at this time because:
3 The change from Rural Mobile Home (RMH) to Specific Plan (SP) would provide sites for
4 additional residential development in Chalfant Valley that are reasonable and beneficial at
5 this time.

6 5. The change in land use designation will not have a substantial adverse effect on surrounding
7 properties because:
8 As described in the FEIR for the project, and as found by this Board as lead agency, the
9 change in land use will not have substantial effects on surrounding properties.

10 **NOW, THEREFORE, BE FURTHER RESOLVED** that, based on the findings made herein, the
11 Mono County Board of Supervisors approves the White Mountain Estates Specific Plan.

12 **NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Mono County Board of
13 Supervisors approves Tentative Tract Map 37-46 subject to the Conditions of Approval/ Mitigation
14 Monitoring Program for the White Mountain Estates Specific Plan/ EIR/ Tract Map, Appendix A in
15 the FEIR. In approving Tentative Tract Map 37-46, the Board of Supervisors finds that:

- 16
- 17 1) The map is consistent with the County General Plan and with the Specific Plan (SP) for the area
18 because:
19 The subdivision is consistent with the County General Plan Land Use Designation of
20 Specific Plan and with policies in the Tri-Valley Area Plan that encourage residential
21 development in areas adjacent to existing development consistent with the Specific Plan.
- 22 2) The design of, and the improvements associated with, the proposed subdivision are consistent
23 with the existing General Plan because:
24 The Specific Plan, which allows for 45 single-family residential lots with an overall project
25 density of 1.5 acres per dwelling unit, and accompanying open space and utility parcels,
26 complies with minimum health requirements and development standards for lot sizes.
- 27 3) The site is physically suitable for the type of development because:
28 (a) The site is adjacent to existing roads and utilities and to the existing development at White
29 Mountain Estates, and is suitable for residential development.
30 (b) The 70.38 acres is of sufficient size to allow the proposed development.
- 4) The site is physically suitable for the density of the development because:
The parcel has suitable area and topography for the development of 45 residential lots.

1 5) Approval of the Tentative Tract Map 37-46 will aid the county in meeting the housing needs of
2 the region pursuant to Government Code section 66412.3 and adequate public services either
3 already exist to serve the project or, with the mitigation measures required of the project, will
not be significantly impacted by approval of the tentative map.

4 6) The design of the subdivision and its associated improvements are not likely to cause substantial
5 environmental damage or substantially and avoidably injure fish or wildlife or their habitat
6 because:

7 All potential environmental impacts of the project have been analyzed and mitigation
8 measures will be implemented that will reduce these potential impacts to less-than-
9 significant levels. The implementation of those mitigation measures is required as a
10 condition of project approval.

11 7) The design of the subdivision and its associated improvements are not likely to cause serious
12 public health problems because:

13 All potential impacts related to public health have been analyzed and mitigation measures
14 will be implemented to reduce these potential impacts to less-than-significant levels. The
15 implementation of those mitigation measures is required as a condition of project approval.

16 8) The design of the subdivision and its associated improvements will not conflict with easements,
17 acquired by the public at large, for access through or use of property within the proposed
18 subdivision because:

19 (a) No evidence was presented at the public hearing for this project indicating that the design of
20 the subdivision or any improvements proposed in conjunction with the approval of the
21 subdivision will have a substantial impact or conflict with easements acquired by the public,
22 for access through or use of the property, within the proposed subdivision.

23 (b) The project is designed to provide paved roads for access to the proposed lots.

24 (c) The project is designed to provide access to surrounding public lands.

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BE IT FURTHER RESOLVED that the Chair of the Board of Supervisors is hereby authorized to
sign this Resolution on behalf of this Board.

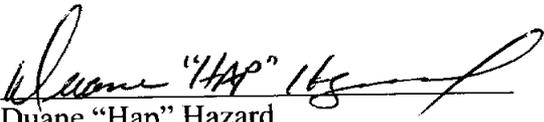
1 **PASSED AND ADOPTED** this 20th day of November, 2007, by the following vote of
2 the Mono County Board of Supervisors:

3 **AYES : Supervisor Bauer, Farnetti, Hazard, Hunt and Reid.**

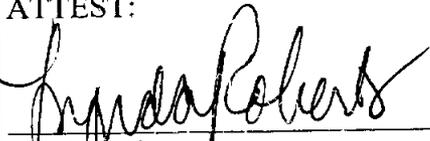
4 **NOES : None.**

5 **ABSENT : None.**

6 **ABSTAIN : None.**

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9 Duane "Hap" Hazard
Chairman

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13 **ATTEST:**

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15 Lynda Roberts
16 Clerk of the Board

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APPROVED AS TO FORM:


Marshall Rudolph
County Counsel



RESOLUTION R10-77

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS
ADOPTING AN ADDENDUM TO THE WHITE MOUNTAIN ESTATES FINAL EIR, AMENDING
THE WHITE MOUNTAIN ESTATES SPECIFIC PLAN AND
MODIFYING TENTATIVE TRACT MAP 37-46**

WHEREAS, the White Mountain Estates project includes the White Mountain Estates Specific Plan Final Environmental Impact Report (Final EIR), the White Mountain Estates Specific Plan (SP), and Tentative Tract Map (TTM) 37-46; and

WHEREAS, the White Mountain Estates SP and TTM 37-46 include conditions that must be met before the TTM becomes final; and

WHEREAS, the developer has requested that Specific Plan Program 5-D and TTM Condition #31 be amended to modify traffic-calming road improvement requirements; and

WHEREAS, Mono County certified a Final EIR pursuant to the California Environmental Quality Act (CEQA) for the above project on November 20, 2007, by Resolution R07-82; and

WHEREAS, Mono County has prepared an addendum to the previously-certified White Mountain Estates Final EIR because some changes or additions are necessary but none of the conditions described in CEQA Guidelines § 15162 calling for preparation of a subsequent EIR have occurred, as explained in detail in the Addendum.

NOW, THEREFORE, BE IT RESOLVED by the Mono County Board of Supervisors that:

1. The Board of Supervisors has considered the addendum with the Final EIR prior to recommending a decision on the project.

BE IT FURTHER RESOLVED THAT the Mono County Board of Supervisors, in approving an amendment to the White Mountain Estates SP Program 5-D, as set forth below, finds that, in addition to the findings made in conjunction with the approval of the Specific Plan:

1. The change in Specific Plan text is consistent with the text of the General Plan, the Tri-Valley Area Plan and White Mountain Estates Specific Plan because:
The proposed modification relates to the modification of a traffic-calming measure on White Mountain Estates Road to allow an elongated speed bump in place of an island and the payment of fees in lieu of construction of a 900 foot grind and overlay. If the proposed amendment to the Specific Plan is approved, the modification would also be consistent with the Specific Plan.
No change to the land use designation is proposed, as the proposed modification relates only to Specific Plan Program 5-D.
2. The amendment is consistent with the Land Use Element of the Mono County General Plan because:

1 *Specific Plan Program 5-D relates only to the modification of traffic calming measures and the*
2 *means of carrying out resurfacing of a 900 foot stretch of White Mountain Estates Road. Neither is*
3 *specifically required by the Land Use Element of the Mono County General Plan and, therefore,*
 elimination or modification of such measures is not inconsistent with the Land Use Element.

4 **BE IT FURTHER RESOLVED THAT** the Mono County Board of Supervisors, in approving the
5 modification to TTM 37-46 Condition #31, set forth below, finds, in addition to the findings made in
 conjunction with the approval of TTM 37-46, that:

- 6 1. The proposed modifications are consistent with the county General Plan and with the Specific Plan
7 for the area because:
8 *The proposed modification relates to the modification of a traffic-calming measure and the*
9 *payment of a fee in lieu of constructing improvements to 900 feet of White Mountain Estates Road.*
10 *With the foregoing amendment to the Specific Plan, the modification of these measures would also*
11 *be consistent with the Specific Plan*
- 12 2. The design and improvements of the proposed subdivision would continue to be consistent with
13 the existing General Plan, if the proposed modifications are approved because:
14 *The installation of any specific traffic calming measure, such as the island required by Condition*
15 *#31, is not required by the General Plan nor is any particular financing method for the grind and*
16 *overlay of White Mountain Estates Road. Therefore, the modification of Condition #31 is not*
17 *inconsistent with the General Plan.*
- 18 3. The site continues, with the proposed modifications, to be physically suitable for the type of
19 development proposed because:
20 *The site is adjacent to existing roads and utilities and to the existing development at White*
21 *Mountain Estates, and is suitable for residential development, and the 70.38 acres is of sufficient*
22 *size to allow the proposed development. The traffic calming measure proposed to be modified was*
23 *not identified in the EIR prepared for the Specific Plan and TTM as necessary to reduce impacts*
24 *associated with the proposed project.*
- 25 4. The site continues to be physically suitable for the proposed density of development because:
26 *The environmental analysis prepared for the Specific Plan and tentative tract map did not identify*
27 *a need for traffic calming measures such as that proposed to be modified. Modification of the*
28 *funding mechanism for the grind and overlay has no impact on physical suitability.*
- 29 5. The design of the subdivision and/or the proposed improvements, including the proposed
30 modifications, will minimize environmental damage or substantially reduce impacts to fish or
 wildlife or their habitat because:
 Potential environmental impacts have been analyzed and mitigation measures have been proposed
 to reduce potential impacts to less-than-significant levels where feasible; and potentially
 significant impacts that cannot be fully mitigated have been mitigated to the lowest feasible levels.
 The implementation of those mitigation measures is required as a condition of project approval.
 Condition #31 was added by agreement of the developer and is not a condition of approval
 necessary to mitigate a significant environmental impact or other impact to fish, wildlife, or their
 habitat. No traffic-related impacts necessitating the installation of traffic calming measures such
 as those proposed to be modified or eliminated were identified in the EIR for the project.

1 6. The design of the subdivision or type of improvements is not likely to cause serious public health
2 problems because:

3 *Potential impacts related to public health have been analyzed and mitigation measures have been*
4 *proposed to reduce potential impacts to less-than-significant levels. The implementation of those*
5 *mitigation measures including, if approved, the proposed modification, would be required as a*
6 *condition of project approval.*

7 7. The proposed modification will not conflict with easements, acquired by the public at large, for
8 access through or use of property within the proposed subdivision because:

9 *The modification relates only to the modification of certain traffic calming measures and the*
10 *funding of road resurfacing and does not affect or conflict with easements acquired by the public*
11 *at large for access through or use of the property within the proposed subdivision.*

12 **BE IT FURTHER RESOLVED THAT** the Mono County Board of Supervisors approves the following
13 amendment to the White Mountain Estates SP Program 5-D and Tentative Tract Map 37-46, Condition #31:

14 The current language of White Mountain Estates Specific Plan Program 5-D and Tentative Tract
15 Map Condition #31 shall be replaced with the following:

16 *The developer shall relocate the existing cattle guard on White Mountain Estates Road to a straight*
17 *section of road and pay in-lieu fees that would allow the County to rehabilitate the easterly 900-foot*
18 *portion of White Mountain Estates Road by grinding and re-compacting existing pavement followed*
19 *by a 0.25-foot overlay with PG64-28PM hot mix asphalt. The developer's 900-foot portion is*
20 *approximately 20% of a larger County rehabilitation project on White Mountain Estates Road. If*
21 *the County constructs the improvements prior to recordation of the final map, then the developer*
22 *shall pay 20% of the County's costs of engineering, pulverization, and the 0.25-foot overlay, based*
23 *on the lowest responsible bid prior to contract award. After the road rehabilitation project is*
24 *completed, and before final approval of the map, the developer shall also pay 20% of the costs of the*
25 *actual quantity of materials, materials testing, and construction management incurred by the County*
26 *in constructing the required improvements, along with any adjustment (upward or downward) in the*
27 *costs of engineering, pulverization, and the 0.25-foot overlay realized during construction. If the*
28 *developer records the final map prior to the construction of the required improvements by the*
29 *County, then the developer shall pay to the County 100% of all estimated costs associated with the*
30 *developer's share of the project and enter into an agreement with the County providing for the*
payment of any additional amounts by the developer (or for offset of amounts overpaid) based on the
developer's share of actual costs, prior to recording of the final map, as determined following
project completion. Estimated costs will be based upon an engineer's estimate prepared by the
County.

The developer shall additionally install, or pay in-lieu fees to County in the amount of County's
costs to design, plan, and install, as a traffic calming measure, a "tabletop speed hump" on White
Mountain Estates Road west of Sequoia Street. Installation (or payment of the in-lieu fees) must
occur prior to recording of the final map, unless the developer enters into a subdivision
improvement agreement (including bonding) with the County which provides for the installation of
the tabletop speed hump no later than following the sale of five lots in the subdivision. In lieu fees
shall be based on a cost estimate prepared by a licensed engineer. Developer shall additionally
enter into an agreement with the County providing for the payment of any additional amounts by the

1 *developer (or for offset of amounts overpaid) based on the actual costs of designing, planning, and*
2 *installing the improvement. The hump shall be constructed in conformance with drawing number R-*
3 *403A of the Standard Details for Public Works Construction, Reno section.*

3 **PASSED AND ADOPTED** this 9 day of November, 2010, by the following vote of the Board of
4 Supervisors, County of Mono:

5 **AYES : Supervisors Bauer, Farnetti, Hunt, Peters and Hazard.**

6 **NOES : None.**

7 **ABSENT : None.**

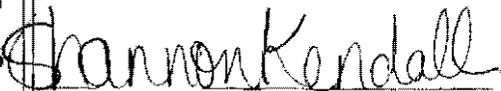
8 **ABSTAIN : None.**

9
10 

11 **Byng Hunt**
12 **Chair**

13
14 **ATTEST:**

14 **APPROVED AS TO FORM:**

15
16 

17 **Shannon Kendall, Sr. Deputy**
18 **Clerk, Board of Supervisors**

16 

17 **Marshall Rudolph**
18 **Mono County Counsel**

STEPHEN N. KAPPOS
ATTORNEY AT LAW
POST OFFICE BOX 3157
MAMMOTH LAKES, CALIFORNIA 93546

(760) 934-5515

November 7, 2012

Gerry Le Francois
Planning Department
COUNTY OF MONO
Post Office Box 347
Mammoth Lakes, California 93546

By Hand Delivery

Re: White Mountain Estates II: Application to Amend Specific Plan/ Modify Tentative Map.

Dear Gerry:

With respect to the pending application to amend the existing Specific Plan and previously recorded Tentative Map for the above project, please note that my client is compelled to request these amendments primarily because of the economic circumstances as they have evolved and presently exist in this region. With the collapse in real estate values and because we are so reliant upon development and construction as a major part of the economic engine of our local economy, we are experiencing what many would regard as a depression in Mono County. Therefore, we are all aware that the value of real estate has dropped dramatically and almost all new development in the area has ceased; consequently, it is simply not feasible to build a project presently with the same monetary exactions as were tolerable five years ago.

The Board of Supervisors has acknowledged the difficult economic situation now faced in Mono County, and has taken general steps to eliminate fees, mitigation and other monetary extractions of the kind requested by this application. For example, we understand the Board has already eliminated developer impact fees countywide, which include fees for recreation facilities. Also, the Board has suspended the affordable housing mitigation requirements countywide, and has specifically eliminated those requirements for a couple of pending projects. My client is operating under the same difficult circumstances and should be entitled to the same consideration, especially considering the fact that none of the items which are the subject of this application were imposed because of an identified adverse impact of the development.

Additional reasons for this application specific to each of the requests are as follows:

1) The Speedhump: Imposition of this measure was not requested by the existing neighborhood and we are not aware that it is generally supported by them. Existing physical features

Gerry LeFrancois
COUNTY OF MONO
November 7, 2012
Page 2

of the road- the swale, the mailboxes, and the road alignment- already cause people to slow down. Additionally, we understand a speed survey was done on White Mountain Estates Road in the past year. Although traffic was slight, the results obtained do not indicate any problem with speed on that roadway.

2) Housing Mitigation: Because of the Great Recession and the collapse in real estate values, housing costs in our area have dropped substantially, and to a point where lack of affordability is no longer the concern for the foreseeable future. Additionally, it must be reiterated my client's project will install manufactured homes on each of the lots, and therefore will already supply the most cost effective housing in the region.

3) Recreational Fees: At the approval of this project the Board imposed recreational impact fees of \$1,000.00 per lot. This adds \$40,000.00 to the cost of this development. Since that time and for the reasons mentioned above, the Board has cancelled or suspended developer impact fees countywide. Developer impact fees had as a component recreational impact fees. In light of this and because of the severe economic hardship my client has faced in bringing this project forward, we believe the recreational impact fees should be eliminated for this project as well.

Please contact me if you have additional questions or comments.

Very Truly Yours,

LAW OFFICE OF STEPHEN N. KAPPOS

By 
STEPHEN N. KAPPOS

cc: Client



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RESOLUTION R12-06

**A RESOLUTION OF THE MONO COUNTY PLANNING COMMISSION RECOMMENDING
ADOPTION OF AN ADDENDUM TO THE WHITE MOUNTAIN ESTATES FINAL EIR,
AMENDING THE WHITE MOUNTAIN ESTATES SPECIFIC PLAN AND
MODIFYING TENTATIVE TRACT MAP 37-46**

WHEREAS, the White Mountain Estates project includes the White Mountain Estates Specific Plan Final Environmental Impact Report (Final EIR), the White Mountain Estates Specific Plan (SP), and Tentative Tract Map (TTM) 37-46; and

WHEREAS, the White Mountain Estates SP and TTM 37-46 include conditions that must be met before the TTM becomes final; and

WHEREAS, due to the current recession and poor economic climate, and in recognition of previous county actions repealing impact fees, the developer has requested that Specific Plan be amended to remove Policy 2B, Program 2B (housing mitigation); Program 5-D (tabletop speed bump); and Policy 17A and Program 17A (per lot recreation fee); and

WHEREAS, the developer also has requested removal of TTM condition # 2 (per lot recreation fee) and the last paragraph of TTM condition # 31 (tabletop speed bump); and

WHEREAS, Mono County certified a Final EIR pursuant to the California Environmental Quality Act (CEQA) for the above project on November 20, 2007, by Resolution R07-82; and

WHEREAS, an Addendum to the previously certified White Mountain Estates Final EIR has been prepared because some project changes or additions are necessary but none of the conditions described in CEQA Guidelines § 15162 calling for preparation of a subsequent EIR have occurred, and

WHEREAS, the Mono County Planning Commission has considered the addendum with the Final EIR prior to recommending a decision on the project.

NOW, THEREFORE, BE IT RESOLVED THAT the Mono County Planning Commission recommends an amendment to the White Mountain Estates Specific Plan, Policy 2B, Program 2B (housing mitigation); Program 5-D and the last paragraph of condition #31 (tabletop speed bump); and Policy 17A, Program 17A, and condition #2 (per lot recreation fee), finding that the change in Specific Plan text is consistent with the text of the General Plan, the Tri-Valley Area Plan and other provisions of the White Mountain Estates Specific Plan because:

Housing Consistency

Housing Element program 14 states: Review and revise the Housing Mitigation requirements (MCC 15.40) to ensure that they remain effective and equitable in today's housing market.

The Board of Supervisors reviewed this requirement and chose to suspended housing mitigation requirements via Ordinance # 11-07. The proposed elimination of the housing requirement is consistent with the above Board Ordinance # 11-07.

1 *Requirements for two deed-restricted housing units were included in the Specific Plan in order to meet*
2 *the requirements of the proposed Mono County Housing Ordinance (Mono County Code, Chapter*
3 *15.40). The Housing Ordinance was adopted in 2006, following approval of the Specific Plan, and was*
4 *then subsequently amended in 2011 to temporarily suspend all housing mitigation requirements from*
5 *July 15, 2011, through July 15, 2013 (Ordinance # 11-07). The Ordinance suspending the affordable*
6 *housing requirements notes that the suspension was in the best interests of the County due to “the cost of*
7 *housing, and other relevant factors.”*

8 Transportation Consistency

9 The project is consistent with Tri-Valley Circulation Element because Action 1.2 states: Work with Caltrans
10 and the Tri-Valley communities to address highway improvement, safety issues, main street, and
11 development-related planning issues.

12 *The project was required to provide a northbound deceleration lane at White Mountain Estates Road*
13 *and US Highway 6, the developer relocated the cattle guard on White Mountain Estates Road, and the*
14 *developer paid his fare share of the White Mountain Estates road rehabilitation and as required in*
15 *condition #31. The applicant has requested elimination of the Tabletop speed bump. The FEIR concludes*
16 *that the project will not create significant impacts related to traffic volume, congestion, level of service,*
17 *pedestrian and bicycle facilities, or transit services. The project remains the same, with no change to*
18 *proposed land uses, number of housing units, or population levels. Associated traffic levels also remain*
19 *the same.*

20 Recreation Consistency

21 The project is consistent with Policy 2, Action 2.3 of the Conservation/Open Space Element that states:
22 Encourage the formation of a self-supporting park system by employing user fees (where appropriate),
23 concessionaire revenues, soliciting grants and private contributions, requesting volunteer help, and by other
24 means that further cost-effective park operations.

25 *The Specific Plan did not identify impacts to recreation as a significant environmental issue. It was one*
26 *of several impact areas identified as not potentially significant for which mitigation measures were*
27 *included in the DEIR to reduce impacts to even lower levels.*

28 *In the past, developer impacts have been required in Mono County as required by Board Ordinance*
29 *R05-093. The Developer Impact Fees were subsequently repealed by the County in July 2011*
30 *(Ordinance R11-45). The Specific Plan identifies the Chalfant Park as the facility to be funded by the*
developer impact fees. The County typically seeks grants and similar funding for improvements at county
park facilities, rather than relying on developer impact fees.

The project includes three open-space lots that total 14.35 acres, along with extra-wide roads to allow
for pedestrian and bicycle uses along the roads. The project thus provides areas for recreation on site
and connects to surrounding off-site recreational areas.

General Policy Consistency

The project is consistent with the general policy direction of the General Plan. As an example, this project is
adjacent to the existing 44-lot White Mountain Estates subdivision and shares the same access road, White
Mountain Estates Road. Land Use Element Action 1.1 states: Encourage infill development in existing
communities and subdivision.

This project is adjacent to the existing 44-lot White Mountain Estates subdivision and shares the same
access road, White Mountain Estates Road.

1 **BE IT FURTHER RESOLVED THAT** the Mono County Planning Commission recommends a
2 modification to TTM 37-46 Conditions # 2 and #31, finding that:

- 3 1. The proposed map is consistent with the county General Plan and with the Specific Plan for the area
4 because:

5 *The subdivision is consistent with the county General Plan Land Use Designation of Specific Plan
6 and with policies in the Tri-Valley Area Plan that encourage residential development in areas
7 adjacent to existing development consistent with the Specific Plan.*

- 8 2. The design and improvements of the proposed subdivision are consistent with the existing General Plan
9 because:

10 *The Specific Plan, which allows 45 single-family residential lots with an overall project density of
11 1.5 acres per dwelling unit, and accompanying open space and utility parcels, complies with
12 minimum health requirements and development standards for lot sizes.*

- 13 3. The site is physically suitable for the type of development proposed because:

14 *The site is adjacent to existing roads and utilities and to the existing development at White Mountain
15 Estates, and is suitable for residential development, and the 70.38 acres is of sufficient size to allow
16 the proposed development.*

- 17 4. The site is physically suitable for the proposed density of development because:

18 *The parcel has suitable area and topography for the development of 45 residential lots.*

- 19 5. The design of the subdivision and/or the proposed improvements will minimize environmental damage
20 or substantially reduce impacts to fish or wildlife or their habitat because:

21 *Potential environmental impacts have been analyzed and mitigation measures have been proposed
22 to reduce potential impacts to less-than-significant levels. The implementation of these mitigation
23 measures has been required as a condition of project approval.*

- 24 6. The design of the subdivision or type of improvements is not likely to cause serious public health
25 problems because:

26 *Potential impacts related to public health have been analyzed and mitigation measures have been
27 proposed to reduce potential impacts to less-than-significant levels. The implementation of those
28 mitigation measures is required as a condition of project approval.*

- 29 7. The design of the subdivision or type of improvements will not conflict with easements, acquired by the
30 public at large, for access through or use of property within the proposed subdivision because:

(a) *No evidence was presented at the public hearing for this project indicating that the design of
the subdivision or any improvements proposed in conjunction with the approval of the
subdivision will have a substantial impact or conflict with easements acquired by the public, for
access through or use of the property, within the proposed subdivision.*

(b) *The project is designed to provide paved roads for access to the proposed lots.*

(c) *The project is designed to provide access to surrounding public lands.*

PASSED AND ADOPTED this 8th day of November, 2012, by the following vote of the Planning
Commission, County of Mono:

Resolution R12-06
Mono County Planning Commission
November 8, 2012

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AYES : Scott Bush, Chris Lizza, Mary Pipersky, Dan Roberts, Steve Shipley

NOES :

ABSENT :

ABSTAIN :

Steve Shipley, Chair
Mono County Planning Commission

ATTEST:

APPROVED AS TO FORM:



C.D. Ritter, Commission Secretary

Stacey Simon, Assistant County Counsel



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE	December 4, 2012	DEPARTMENT	Public Works - Road Division
ADDITIONAL DEPARTMENTS			
TIME REQUIRED	20 minutes	PERSONS APPEARING BEFORE THE BOARD	Jeff Walters
SUBJECT	Auchoberry Pit		

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

The steep slopes of the Auchoberry Pit were graded in 2009-10 to reduce potential safety related concerns. The slopes have seen some natural vegetation take root since the grading was completed but additional revegetation may be necessary to minimize erosion and improve the appearance of the former pit.

RECOMMENDED ACTION:

Receive staff report regarding the Auchoberry Pit. Provide any desired direction to staff.

FISCAL IMPACT:

This item is for informational purposes only. There is no General Fund impact at this time.

CONTACT NAME: Jeff Walters

PHONE/EMAIL: 760.932.5459 / jwalters@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

- [Auchoberry Pit - BOS Staff Reprt 12.04.12](#)
- [Exhibit 1 - Auchoberry Pit Location](#)
- [Exhibit 2 - Auchoberry Pit Grading and Vegetation](#)

History

Time	Who	Approval
11/14/2012 5:04 PM	County Administrative Office	Yes
11/28/2012 2:28 PM	County Counsel	Yes
11/19/2012 9:48 AM	Finance	Yes



MONO COUNTY DEPARTMENT OF PUBLIC WORKS

POST OFFICE BOX 457 • 74 NORTH SCHOOL STREET • BRIDGEPORT, CALIFORNIA 93517
760.932.5440 • FAX 760.932.5441 • monopw@mono.ca.gov • www.monocounty.ca.gov

Date: December 4, 2012

To: Honorable Chair and Members of the Board of Supervisors

From: Jeff Walters, Director of Road Operations/Fleet Services

Re: Auchoberry Pit

Recommended Action:

Receive staff report regarding the Auchoberry Pit. Provide any desired direction to staff.

Fiscal Impact:

This item is for informational purposes only. There is no General Fund impact at this time.

The rough grading on the Auchoberry Pit project was completed in 2010. Future use of the Auchoberry Pit site will dictate additional work necessary such as finish grading and revegetation/erosion control.

Background:

Mono County originally purchased the Auchoberry Pit tax-defaulted property in June of 2007 for \$2,400. Its intended use was as a gravel pit for Mono County's Public Works Department (Public Works) as a source of material for public roads and other public works projects. In 2009 Public Works staff worked with the Antelope Valley Regional Planning Advisory Committee (RPAC) to address safety concerns and long-term planning for the County's 13-acre parcel in Coleville commonly known as the Auchoberry Pit (APN 01-100-55). The primary safety concern was that the nearly-vertical slope remaining from historic aggregate mining was an attractive nuisance for off-highway-vehicle riders and others who recreate on the property. It was determined to grade the walls of the pit to reduce the potential danger. Public Works begin grading the pit in 2009 and the project was completed in 2010. (see Exhibit 2)

A significant rain event created several erosion issues shortly after the grading was completed. However, a drainage ditch/swale was installed shortly thereafter and has prevented similar erosion issues since that time. In fact, several of the erosion areas have naturally filled in (by wind transporting sand and other materials into the runnels etc.). The slopes have seen natural vegetation begin to grow resulting in improved erosion prevention and appearance. It is Public Works feeling that the vegetation on the slopes will continue to spread and take over the entire area as we have seen at some of our other sites.

In June of 2011 the California Department of Conservation Office of Mine Reclamation (OMR) determined the Auchoberry Pit existed pre-SMARA (1975) and therefore is not subject

to SMARA reclamation requirements at this time. Should the county elect to reopen the pit for mining activities a reclamation plan would be required as part of the application process.

It is now only the County's decision on how/if they would like to revegetate the pit to improve its appearance and/or minimize erosion. Earlier contractor estimates for revegetation was \$80,000. The soil in the pit is primarily decomposed granite which would require the addition of nutrients (wood chips etc.) in order to provide the best opportunity for successful plant growth. Test plots could be set up to determine the most successful method to revegetate the entire slope and pit bottom.

There is a current balance of \$8,567 remaining of the original \$80,000 set in the CIP for the pit's revegetation efforts.

At this time there is no finalized plan for use of the Auchoberry Pit.

If you have any questions regarding this issue, please contact me at (760) 932-5459.

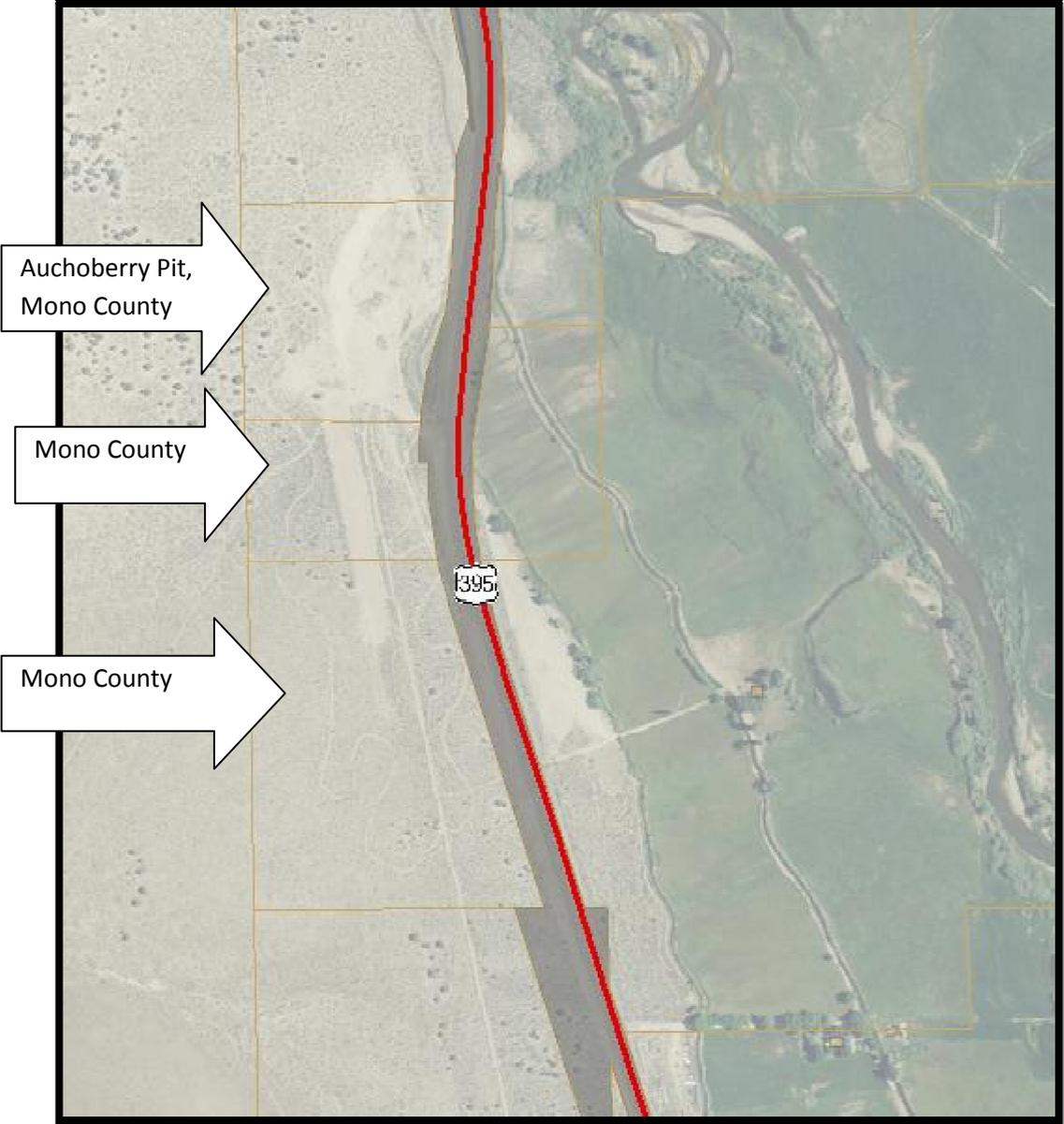
Respectfully submitted,



Jeff Walters
Director Road Operations/Fleet Services

Attachments: Exhibit 1 - Auchoberry Pit Location
 Exhibit 2 - Completed Grading and Vegetation

Exhibit 1 - Auchoberry Pit



Auchoberry Pit

Before Grading (May 2009)



Auchoberry Pit

After Grading (May 2010)



Auchoberry Pit

Spring 2011



Auchoberry Pit

Fall 2012





OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE	December 4, 2012	DEPARTMENT	Public Works - Road Division
ADDITIONAL DEPARTMENTS			
TIME REQUIRED	20 minutes	PERSONS APPEARING BEFORE THE BOARD	Jeff Walters
SUBJECT	Motor Pool - Potential Extension of Useful Mileages		

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Mono County's Motor Pool vehicles have a predetermined useful mileage for each type of vehicle. Potentially extending the useful mileage may reduce overall costs associated with purchasing replacement vehicles.

RECOMMENDED ACTION:

Hear staff report regarding useful mileage on Motor Pool vehicles. Provide any desired direction to staff.

FISCAL IMPACT:

None at this time.

CONTACT NAME: Jeff Walters

PHONE/EMAIL: 760.932.5459 / jwalters@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

- [Motor Pool - Potential Extension of Useful Mileage - BOS Stff Rprt 12.04.12](#)
- [Exhibit 1 - Useful Mileages](#)

History

Time	Who	Approval
11/20/2012 6:04 PM	County Administrative Office	Yes
11/28/2012 2:30 PM	County Counsel	Yes
11/19/2012 9:46 AM	Finance	Yes



MONO COUNTY DEPARTMENT OF PUBLIC WORKS

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760.932.5440 • FAX 760.932.5441 • monopw@mono.ca.gov • www.monocounty.ca.gov

Date: December 4, 2012
To: Honorable Chair and Members of the Board of Supervisors
From: Jeff Walters, Director of Road Operations/Fleet Services
Re: Motor Pool – Potential Extension of Useful Mileages

Recommended Action:

Receive staff report regarding current useful mileages for all Motor Pool vehicles. Provide any desired direction to staff.

Fiscal Impact:

Extending useful mileage may provide a reduction in overall Motor Pool replacement expenses.

Background:

Mono County's fleet of Motor Pool vehicles consists of over 150 vehicles. Each type of vehicle is charged a monthly mileage rate based upon a formula with several factors including replacement value, salvage value, useful mileage, average maintenance costs, insurance, and overhead. Extending the useful mileage would slightly reduce the mileage rate charged per vehicle and may result in a reduction in replacement costs.

Exhibit 1 (attached) provides the useful life mileages currently allocated for each vehicle type.

If you have any questions regarding this issue, please contact me at 760.932.5459.

Respectfully submitted,

Jeff Walters
Director of Road Operations/Fleet Services

Motor Pool Useful Mileage

Vehicle Type	Make/Model	Department Allocations	Useful Mileage
Small SUV	Ford Escape, Subaru Forester, Jeep Liberty	Solid Waste, Public Works, Probation	160,000
Small SUV	Jeep Liberty, Subaru Forester	Social Services	130,000*
Standard SUV	Jeep Cherokee	Facilities	160,000
Standard SUV	Ford Explorer, Dodge Durango	Mental Health, Probation	130,000*
Large SUV	Ford Expedition	Sheriff	130,000*
Large SUV	Ford Expedition	Road , Animal Control, Paramedics	160,000
Minivan	Dodge Caravan, GMC Astrovan	Probation, Pool	130,000*
Large Van	Chevy Express	Probation	130,000*
1/2 ton Pickup Truck	Dodge Dakota, Ford F-150	Assessor, Fleet Services, Animal Control	160,000
3/4 ton Pickup Truck	Ford F-250, Dodge 2500	Road, Animal Control, Sheriff	160,000
1 Ton Chassis	Ford F-350, Chevy 3500	Paramedics (ambulance)	80,000
1 Ton Pickup Truck	Ford F-350	Road, Sheriff	160,000

* Vehicles in these departments have a lower useful mileage due to their requirement to transport more sensitive "cargo" and the need for reliability etc.



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE	December 4, 2012	DEPARTMENT	Public Works - Road Division
ADDITIONAL DEPARTMENTS			
TIME REQUIRED	30 minutes	PERSONS APPEARING BEFORE THE BOARD	Jeff Walters
SUBJECT	Paradise Split Rail Fence		

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Through the Mono County Public Works encroachment permit process a split rail fence was installed in the County's Right-of-Way on Lower Rock Creek Road. The Board of Supervisors requested Public Works provide potential options which may resolve some of the issues brought up by residents at a previous Board meeting in Paradise.

RECOMMENDED ACTION:

Consider potential options proposed by Public Works for resolving issues regarding a split rail fence installed in the community of Paradise. Provide any desired direction to staff.

FISCAL IMPACT:

None at this time.

CONTACT NAME: Jeff Walters

PHONE/EMAIL: 760.932.5459 / jwalters@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[Paradise Split Rail Fence - BOS stff Rprt 12.04.12](#)

[Exhibit 1 - Paradise Split Rail Fence](#)

History

Time	Who	Approval
11/20/2012 6:04 PM	County Administrative Office	Yes
11/29/2012 8:17 AM	County Counsel	Yes
11/19/2012 9:46 AM	Finance	Yes



MONO COUNTY DEPARTMENT OF PUBLIC WORKS

POST OFFICE BOX 457 • 74 NORTH SCHOOL STREET • BRIDGEPORT, CALIFORNIA 93517
760.932.5440 • Fax 760.932.5441 • monopw@mono.ca.gov • www.monocounty.ca.gov

Date: December 4, 2012
To: Honorable Chair and Members of the Board of Supervisors
From: Jeff Walters, Director of Road Operations/Fleet Services
Subject: Paradise Split Rail Fence

Recommended Action:

Consider potential options proposed by Public Works on issues concerning the split rail fence in the community of Paradise. Provide any desired direction to staff.

Fiscal Impact:

None at this time.

Discussion:

At the Special Board of Supervisors meeting in Paradise in April of this year the Mono County Board of Supervisors requested Public Works provide the Board with potential options regarding the Rock Creek Canyon project's split rail fence which is located within the County's Right-of-Way on Lower Rock Creek Road in Paradise.

After considerable discussion amongst County staff there are several potential options for the split rail fence that may resolve some of the issues brought up by the community during the meeting in April. These potential options include:

1. Leave single split rail fence as is;
2. Remove split rail fence nearest Hooper project and replace with removable bollards to allow snowplows to push snow further off roadway and minimize water and ice from entering roadway;
3. Allow the split rail fence to be removable for issues listed in #2 above and paint white marking to designate the path to the trail head;
4. Remove fence each fall and reinstall each spring;
5. Remove fence entirely and paint stripes to designate walkway/path to trail head.

If you have any questions regarding this item, please contact me at (760) 932-5459.

Respectfully submitted,

Jeff Walters
Director of Road Operations/Fleet Services

Attachment: Exhibit 1 – Paradise fence photos

Exhibit 1 - Paradise Split Rail Fence

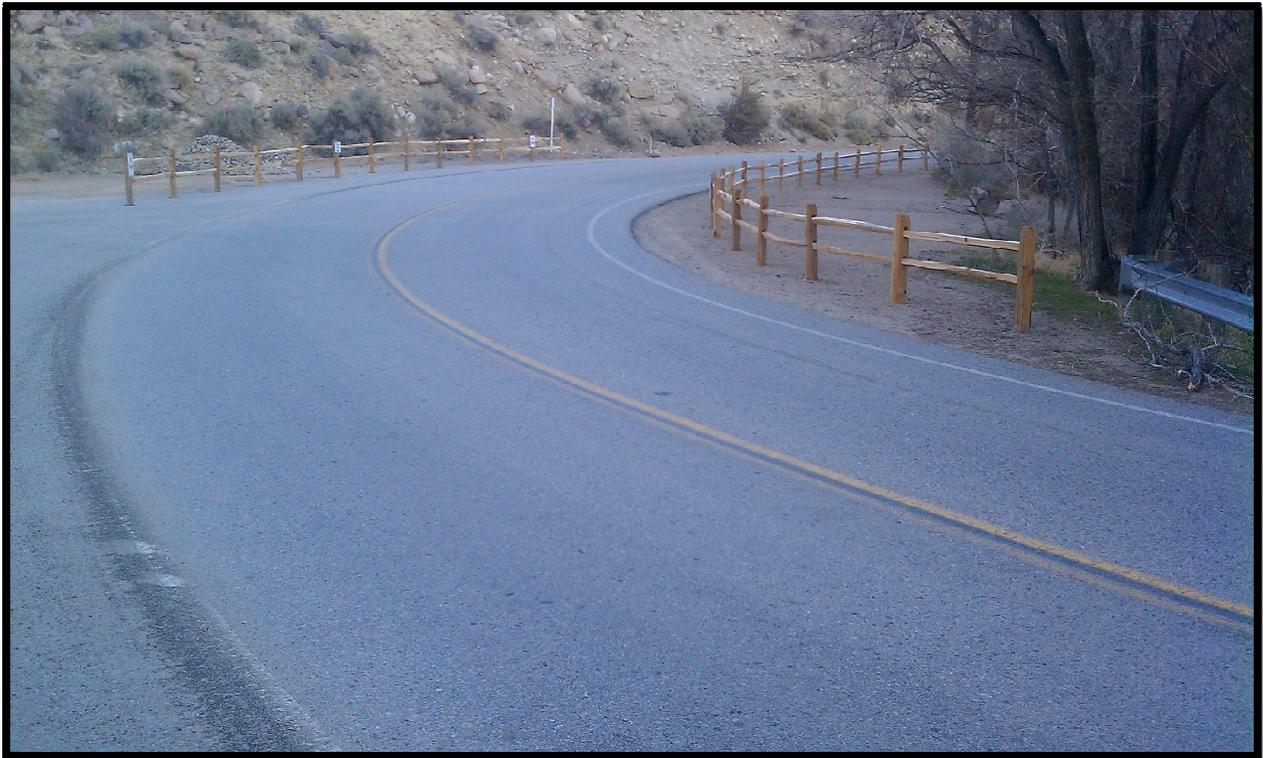


Exhibit 1 - Paradise Split Rail Fence

