

MONO COUNTY PLANNING COMMISSION

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commdev@mono.ca.gov

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

SPECIAL MEETING AGENDA

THURSDAY, OCTOBER 11, 2012 – 10 a.m.
Town/County Conference Room, Minaret Village Mall, Mammoth Lakes

Full agenda packets, plus associated materials distributed less than 72 hours prior to the meeting, will be available for public review at the Community Development offices in Bridgeport (Annex 1, 74 N. School St.) or Mammoth Lakes (Minaret Village Mall, above Giovanni's restaurant). Agenda packets are also posted online at www.monocounty.ca.gov / departments / community development / commissions & committees / planning commission. For inclusion on the e-mail distribution list, send request to cdritter@mono.ca.gov

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

2. PUBLIC COMMENT: Opportunity to publicly address items not on the agenda

3. MEETING MINUTES: Adopt minutes of September 13, 2012

4. PUBLIC HEARINGS:

10:10 A.M.

A. GENERAL PLAN AMENDMENT 12-003 (a) & USE PERMIT 12-003 with associated Deed Restriction/Foster. The proposal is to change the land use designation of APN 015-060-047 from Single-Family Residence to Commercial Lodging, High, subject to restrictions contained in Conditional Use Permit (CUP) 12-003 and deed restriction to allow for transient rentals. Any other use, beyond the approved CUP 12-003 and deed restriction, under the CL-H designation would require further planning review and permitting. The .68-acre parcel is located at 4835 Hwy. 158 in the Down Canyon area of June Lake. The CUP includes conditions for future permitted land uses, and is subject to GPA approval by the Board of Supervisors. The Planning Commission may recommend that the Board of Supervisors approve the proposed General Plan Amendment subject to the conditions of approval for CUP 12-003 and deed restriction. The project qualifies as a CEQA exemption. *Staff: Courtney Weiche, a ssociate planner - p. 6*

5. SITE VISIT

11:00 A.M.

MAMMOTH PACIFIC I REPLACEMENT PROJECT. Meet at the intersection of Antelope Springs Road and Casa Diablo Cutoff Road/Geothermal Plant Road (east of US 395). The site visit is for informational purposes only – no action will be taken.

--- LUNCH BREAK ---

6. PUBLIC HEARING:

1:15 P.M.

B. MAMMOTH PACIFIC I REPLACEMENT PROJECT FINAL ENVIRONMENTAL IMPACT REPORT (FEIR), CLARIFYING GENERAL PLAN AMENDMENT 12-003 (b), CONDITIONAL USE PERMIT 12-004, VARIANCE 12-002 & RECLAMATION PLAN 12-001. The Planning Commission may: 1) certify the FEIR; 2) approve Conditional Use Permit 12-004 for the M-1 Replacement Plant (including the granting of a height exception for mechanical appurtenances) and

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COMMISSIONER
Mary Pipersky

DISTRICT #2
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Steve Shipley

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COMMISSIONER
Daniel Roberts

DISTRICT #4
COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Chris Lizza

decommissioning/reuse of the existing MP-I plant site as a storage area; 3) approve Variance 12-002 for setback reductions from an exterior property line and blue line stream, and to construct an above-ground electrical transmission line; and 4) approve Reclamation Plan 12-001. The Planning Commission may also recommend that the Board of Supervisors certify the FEIR and approve General Plan Amendment 12-003 to clarify the County's intent and interpretation of Chapter 15, section 15.070 (B)(1)(d) and Objective D, Policy 1, Action 1.13 of the Energy Resources section of the Conservation and Open Space Element pertaining to setbacks from a blue-line stream. The proposed project would replace the aging MP-I geothermal power plant with a new, more-modern and -efficient binary power plant (referred to as "M-1") while maintaining the existing geothermal wellfield, pipeline system and ancillary facilities. No new offices or other structures are proposed, with the exception of a small substation to be placed on the north side of the project site. The M-1 plant would be located ~500' east of the existing MP-I plant, which is located ~1,200' northeast of the intersection of US Highway 395 and State Route 203 on 90 acres of private (fee) land owned by Ormat Nevada, Inc. The M-1 replacement power plant is anticipated to increase the net electricity generation by 34% while utilizing the same geothermal resources for the existing MP-I facility. During M-1 plant startup operations, the existing MP-I plant would continue to operate until the new M-1 plant becomes commercial, after which time the applicant would close and dismantle the old MP-I plant and would utilize the former plant location for equipment storage. The transition period during which both the MP-I and M-1 operations would overlap but would not exceed two years from the date the M-1 plant begins startup operations. *Staff: Courtney Weiche, associate planner, and Gerry Le Francois, principal planner - p 27*

7. WORKSHOP: None

8. REPORTS:

A. DIRECTOR

B. COMMISSIONERS

9. ADJOURN

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

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

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DRAFT MINUTES

September 13, 2012

COMMISSIONERS PRESENT: Chris Lizza, Mary Pipersky, Dan Roberts, Steve Shipley. **ABSENT:** Scott Bush

STAFF PRESENT: Gerry Le Francois, principal planner; Wendy Sugimura, associate analyst; Walt Lehmann, public works; Stacey Simon, assistant county counsel; C.D. Ritter, commission secretary

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE: Chair Steve Shipley called the meeting to order at 10:08 a.m. at the county courthouse in Bridgeport, CA, and led the pledge of allegiance.

2. PUBLIC COMMENT: None.

3. CONSENT ITEM:

A. FINAL APPROVAL OF TRACT MAP 37-59 A&B – Phases 1 & 2/Rock Creek Canyon. Approval of Tract Map 37-59 will divide APN 026-330-003, totaling 29 acres, into 14 lots: 12 market-rate single-family residential lots; and two parcels devoted to complementary uses including a trailhead parking lot and dedication of 5.59 acres of open space. The project is located at 7997 Lower Rock Creek Road (aka former Paradise Resort), in the unincorporated community of Sierra Paradise. The Mono Supervisors approved the Rock Creek Canyon Specific Plan and Tentative Maps 37-59 A&B on Dec. 21, 2010, and later amended the SP on April 17, 2012. *Staff: Gerry LeFrancois, Walt Lehmann*

Walt Lehmann indicated staff had reviewed the map and verified conditions had been met. He distributed Notice of Development Conditions that would apply to future owners. Gerry Le Francois requested considering approval of Tentative Tract Map (TTM) 37-59. By signing/approving final map, commission would recommend Mono Supervisors do likewise. All 70-some conditions have been met.

Are CC&Rs requirement of tract maps? *Yes, but not part of, and Mono does not enforce. Conditions are satisfied and mitigated.*

Lehmann clarified that the new notice omits conditions already met, will record concurrently. Le Francois indicated road standards have been met, so would not apply to future owners.

Stacey Simon stated that the tentative tract map function is to get the concept down and set forth a list of things to accomplish before final map. Some things are done and off the table, whereas others are never done (continuing) and carry forward. Lehmann stated that all required improvements were done.

MOTION: Authorize chair to sign map (Lizza/Pipersky. Ayes: 4. Absent: Bush.)

4. MEETING MINUTES: Review and adopt minutes of August 9, 2012, as amended: 1) Item 4B, add: ***Commissioner Lizza revealed that he is close personal friends with the proponent and her family, and that they and he operate businesses in the same community. Commissioners voiced no objection;*** and 2) Item 4C discussion: Simon described the overlay as broad, one size fits all. Very difficult to apply outside overlay ***residential*** districts.

MOTION: Adopt minutes of August 9, 2012, as submitted. (Roberts/Lizza. Ayes: 3. Abstain because left meeting early: Pipersky. Absent: Bush.)

5. PUBLIC HEARINGS: None.

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DISTRICT #5
COMMISSIONER
Chris Lizza

6. WORK SHOPS:

A. LEE VINING/RUSH CREEK FIBER OPTIC LINE/Southern California Edison (SCE). Dan Brady and Kevin Bigham reported that SCE had created a reliable telecom system to control Rush Creek dam and powerhouse. An automated communication structure was set up for early warning. The request is to install 1/2" diameter fiber optic line 15 miles, five miles along scenic byway. Must go to Public Utilities Commission (PUC) for deviation from scenic byway guidelines. Process includes going to local entities for letters of opinion. SCE visited June Lake CAC and Mono Basin RPAC so the process was transparent and had public participation.

Bigham showed existing and proposed visuals. Wires are visible only against sky. Height requirement set by Caltrans was from highway and SCE from primary conductors. RPACs asked why not go underground. *Business cost increase is 10x, biological and archaeological issues, and two creek crossings. Burden would be passed along to customers. SCE attempts to ensure projects are cost effective.*

Feedback on other issues? *Resident Ann Tozier opposes more overhead lines in June Lake.* Do lines cross through community? *Yes.*

A combo of radiation and microwaves would detect equipment failure. Current setup running off phone lines barely takes the load, extends to June Mountain but with no video capability

Where does line start? *Lines to lakes in 2014, Gem and Agnew dams are a concern, and Silver Lake is a Los Angeles Department of Water and Power facility.*

Would project affect scenic highway? *Not at all.* Stacey Simon noted SCE would need deviation from PUC for crossing scenic highway. Impact must be infinitesimal. Bigham indicated SCE would pursue with PUC.

When would it be complete? *Next year, due to scenic highway.*

Simon noted SCE ultimately was seeking an opinion letter from Mono Supervisors. She recommended agendaizing it as a letter request.

Commissioners approved least-intrusive proposal. Height is ~20', so no issues of equipment clipping it. Total distance is 15 miles, with five miles along scenic highway.

B. BRIDGEPORT MAIN STREET REVITALIZATION PROJECT. Wendy Sugimura reported on recent highly interactive workshops on converting a highway into a community-based Main Street. She presented Dan Burden's PowerPoint on transforming a street into a comfortable pedestrian way. Burden made some changes when he was here in 2000. This time, he worked closely with Caltrans on design concepts. He looked at flaws and assets, and how adding parking, street trees, and narrower lanes to create enclosure and driver awareness would improve and increase property values. Buildings can create edge and definition, and back-in angle parking is easier than parallel and allows drivers to pull out into traffic.

Residents wanted to recognize historical, pastoral nature of community, its rustic nature, and farm buildings. Opportunities exist for unique businesses like Jolly Kone (food + massage), properties no longer in use, and parking in back to honor street front (1881). Street frontages provide character. Issues: long pedestrian crossings, not well marked; driveways without flat section for disabled; incomplete sidewalks used by school kids; and large seas of pavement. Suggestions: Honor nice views; consider snow management.

Burden noted that business owners are notoriously difficult to engage, but Bridgeport got 90% (78 attendees). Kept adding chairs, lots of participation. Visions and values draw people. Attendees wrote on cards their vision of what should happen on Main Street, and then voted on priorities. After the workshops and a walking audit, residents sat at tables to design their own Main Street, with some presenting their ideas.

Tools & resources: Take priorities and make changes to Main Street. Create pedestrian and bicycle mobility map. Add striping to define walking/cycling space on county road for kids. Use thick side stripe (8-10") to create a border line. Trees were highest priority to create street and sidewalk definition, a more inviting appearance. Planter boxes should maintain full sidewalk width. Sequential steps reduce traffic speed. Land use and property values around it change.

Gateways: Individual monument sign, guard rail with flowers, trees. Create a transition. Center median strip would not work here due to snow removal.

Traffic lanes: Biggest point of consensus was changing from five lanes to three, with colored median. Caltrans wanted 12' lanes, not 11'.

Parking: Hesitation on back-in parking, but that has changed by community advocates (all but one concur). Reduce number of curb cuts and red curbs. Parallel parking could accommodate recreational vehicles. Caltrans

doesn't like striped-out areas due to winter conditions. In long term, extend sidewalk with greenscaping to narrow. Snow drivers automatically form two lanes with center median.

Curb extensions: Bring sidewalk partly out into street to reduce pedestrian travel distance. Driver has better view of oncoming traffic after pulling out. Removable curb extensions like large planter boxes for summer could be removed in winter. Places to sit could reflect character of community.

Aesthetics: Flower boxes on guardrails. Add bike lanes to create clearer space for all and buffer between parked cars and traffic. Back-in parking is somewhat natural and already has been around a long time – motorcycles, cowboys, rednecks, urbanites, horses.

Buildings: Reinvigorate old structures. Change facades/architecture of buildings.

Roundabouts: Touchy subject. Caltrans wants them for functional traffic management, not at gateways. Interagency visitor center is a possibility.

Current Caltrans overlay was to occur a year ago, but contractor hasn't achieved right asphalt mix. Opportunity exists to make changes soon: striping for fewer lanes, back-in parking. Final report will include phasing plan and implementation recommendations. The plan is to take concepts to other communities in the future. The project provided a great foundation for working together on issues.

Four lanes on either side of town? *Environmental issues with wetlands have precluded that. Town becomes a passing opportunity.*

7. REPORTS:

A. PRINCIPAL PLANNER: 1) MP-1: Replacement project to Planning Commission Oct. 11 in Mammoth. 2) Crowley cell tower: Up, visible only at close range, blends in with hillside, color blends with terrain.

B. COMMISSIONERS: Roberts: Sidewalk installed on north side of SR 158 in June Lake. Next month is the annual meeting of California County Planning Commissioners Association.

8. INFORMATIONAL: No items.

9. ADJOURN: 11:33 a.m.

Prepared by C.D. Ritter, commission secretary

Mono County Community Development Department

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Date: October 11, 2012
To: Mono County Planning Commission
From: Courtney Weiche, Associate Planner
Re: Use Permit Application 12-003 and General Plan Amendment 12-003(a) / Foster

RECOMMENDATION

It is recommended the Planning Commission take the following actions:

1. Find that the project is exempt from the California Environmental Quality Act (CEQA) as a Categorical Exemption under CEQA guidelines 15301 & 15303 and direct staff to file a Categorical Exemption; and
2. Approve Resolution 12-04, and recommend approval of General Plan Amendment 12-003(a) to the Board of Supervisors; and
3. Make the required findings as contained in the project staff report, and approve Conditional Use Permit application 12-003 subject to Conditions of Approval.

PROJECT

The proposal is to allow use of a single-family residence at 4835 Highway 158 in June Lake (APN 016-186-007) for transient rentals, as defined in a voluntary deed restriction the applicant will record for the property. The project includes a General Plan Amendment (GPA) to change the land use designation from Single-Family Residential (SFR) to Commercial Lodging, High (CL-H), subject to restrictions set forth in the Conditional Use Permit (CUP) to allow operation of a transient rental. The CUP includes requirements for future permitted land uses, and is conditioned upon approval of the GPA to change the property's designation from SFR to CL-H by the Board of Supervisors and upon the property being enforceably restricted to transient rental and/or residential use. Transient rentals are allowed in CL-H, with a use permit but are not allowed within SFR. Any increase in intensity of use, beyond the approved CUP 12-003, under the CL-H designation would require further planning review and permitting. Furthermore, the applicant is voluntarily deed restricting the property so that it may be used only as single family residence or as a transient rental (see attachment A).

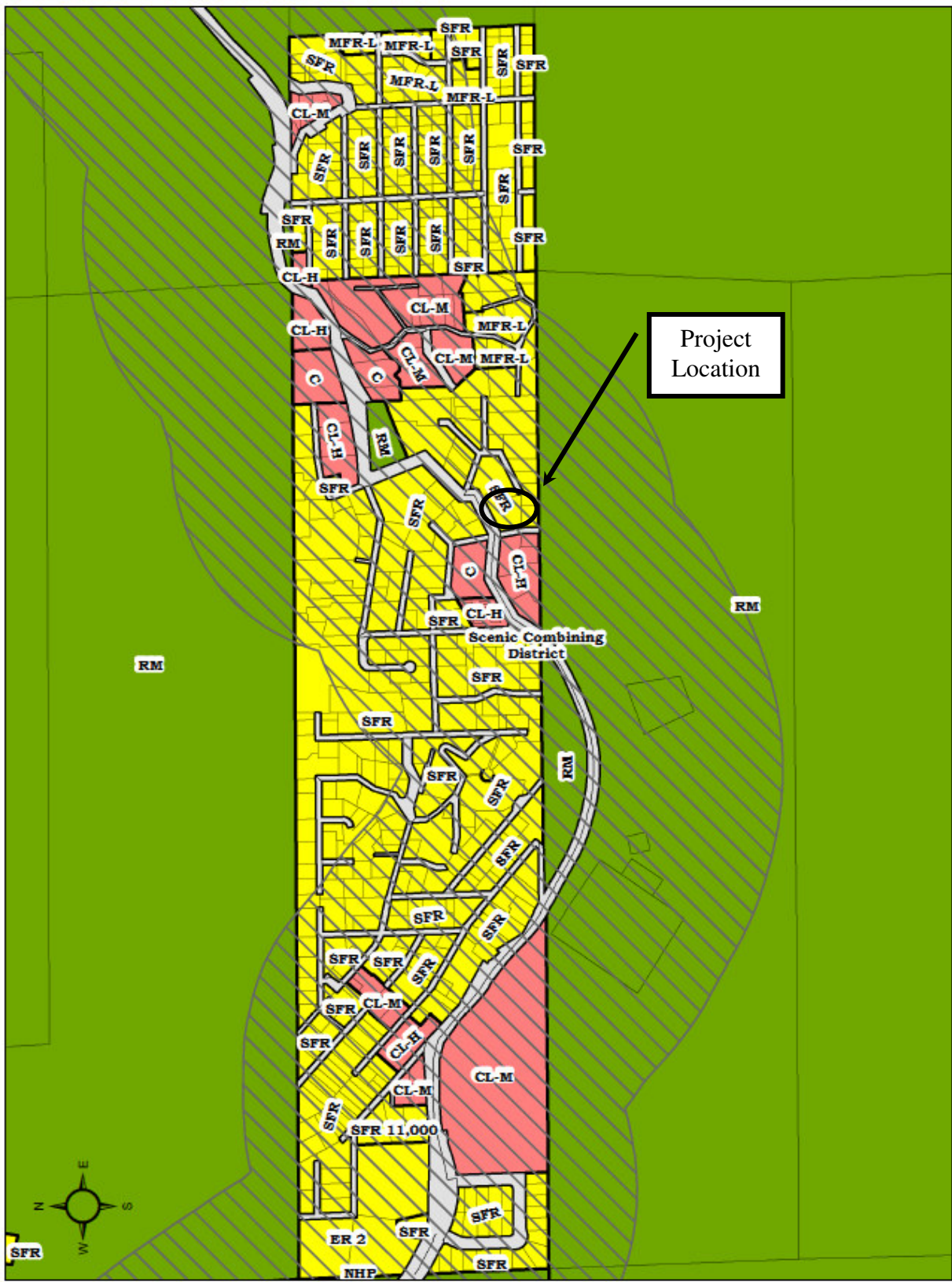
PROJECT SETTING

The project parcel is located adjacent to similar commercial lodging uses and the Down Canyon commercial area of June Lake (See Figure 1). The areas to the north and east of the project parcel have a land use designation of Single Family Residential, and to the west and north-west of the project, the parcels have land use designations of Commercial and Commercial Lodging, High. It is directly adjacent parcels with land use designations such as Commercial (C) and Commercial Lodging-High (CL-H) that are all intended to promote commercial uses, including transient rentals. Along Highway 158, to the west, is the Four Seasons, Carson Peak Inn and the Hideaway Condos.

Figure 1

MONO COUNTY GENERAL PLAN

LAND USE DESIGNATIONS



Down Canyon June Lake

Figure 70

BACKGROUND

The project includes the use of the existing single-family residence which has 4 bedrooms and 4.5 baths with a two car garage. Although it not required, the applicant voluntarily enlisted the services of the professional safety engineering firm, Peak Consultants, to perform additional safety evaluations of the property and has implemented the suggested improvements from their report. This includes, but is not limited to, the development of emergency evacuation plans for each bedroom, installation of pull-down fire alarms on each floor, installing commercial grade firebox for flammable materials, installing CO alarms on ever floor, installation of a Knox-box and creating sufficient defensible space around the property. In addition, Jerry Allendorf, Chief of June Lake Fire Protection District, has inspected the residence and found the project proposal to be consistent with any applicable fire requirements. These elements further justify the transition of the single-family residence to a transient rental.

The applicant has voluntarily prepared and will record a deed restriction limiting the use of the property so that it may be used only as a transient rental. The deed restriction ensures that the property will not be used for additional commercial purposes or higher density uses, unless the property owner or its successor applies for and is duly approved by County for other or additional uses on the Property.

GENERAL PLAN CONSISTENCY

The following discusses major components of the proposal, reviews their conformity with Mono County's General Plan and Planning Commission requirements, and recommends options for the Commissions consideration.

The following excerpts are various sections of the Mono County General Plan defining and outlining compliance with the permitting of a transient rental (rentals for fewer than 30 consecutive days):

Development Standards:

Subject to the General Plan Amendment approval for the land use designation change to Commercial Lodging, High a transient rental is allowed in this designation subject to a director review or conditional use permit.

Commercial Lodging, Moderate (CL-M) and High (CL-H)

INTENT: The "CL-M" designation is intended to provide commercial lodging units for short-term occupation in or near residential uses.

The "CL-H" designation is intended to provide short-term commercial lodging units in close proximity to commercial/recreational centers.

PERMITTED USES

- Single-family dwelling (mobile homes are not permitted)
- Duplexes and triplexes
- Accessory buildings and uses¹
- Animals and pets (see Animal Standards Section 04.270)
- Home occupations (see Home Occupation regulations, Section 04.290)

USES PERMITTED SUBJECT TO DIRECTOR REVIEW (Director Review Processing, Ch. 31)

- Transient rentals (rentals for fewer than 30 consecutive days) of up to three dwelling units

USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

- Mobile-home parks (see Dev. Standards –Mobile-home and RV Parks, Ch. 17)
- Recreational-vehicle parks (see Ch. 17)
- Condominiums, cooperatives, townhomes, cluster developments, apartments containing four or more units
- Hotels, motels, lodges, bed-and-breakfast establishments, cabins and other uses found to be similar by the Commission. Ancillary uses such as limited dining, lounges and convenience retail, provided the ancillary use does not occupy more than 25 percent of the project's habitable space
- Transient rentals (fewer than 30 consecutive days) of four or more dwelling units
- Conversion of five or more apartment units into transient rentals
- Conversion of existing habitable space into ancillary uses
- Parking lots and parking structures other than required off-street parking
- Construction of an accessory building prior to construction of the main building

DEVELOPMENT STANDARDS

Minimum Lot Area:

Hotels, motels, lodges, bed-and-breakfast establishments, rental cabins and other similar uses – 20,000 sf

Condominiums, cooperatives, townhouses, cluster developments and similar uses (excluding apartments) – 20,000 sf

All other uses – 10,000 sf

Land uses on lots measuring less than 10,000 sq. ft. shall be limited to single-family residences, duplexes and triplexes (mobile homes are not permitted)

The parcel's lot size is 32,670 square feet, which is above the minimum required lot area of 20,000 square feet for the proposed use within this land use designation.

Chapter 06 – Parking Development Standards

Table 06.010 of the General Plan illustrates the required parking spaces needed for a single family residence in June Lake is 3 parking spaces. The residence has a two car attached garage and a large enough driveway to park four additional vehicles tandem in front, for a total possibility of six vehicles. However, the applicant has indicated that the lessee agreement with each renter will only permit a maximum of three vehicles.

Snow Storage Requirements:

Section II, page 214, **04.300** states:

“Snow-storage areas shall be provided for all future commercial and multi-family (three or more units) development, including condominiums. Snow-storage area(s) shall be equal to a required percentage of the area from which the snow is to be removed (i.e., parking and access/roads areas).”

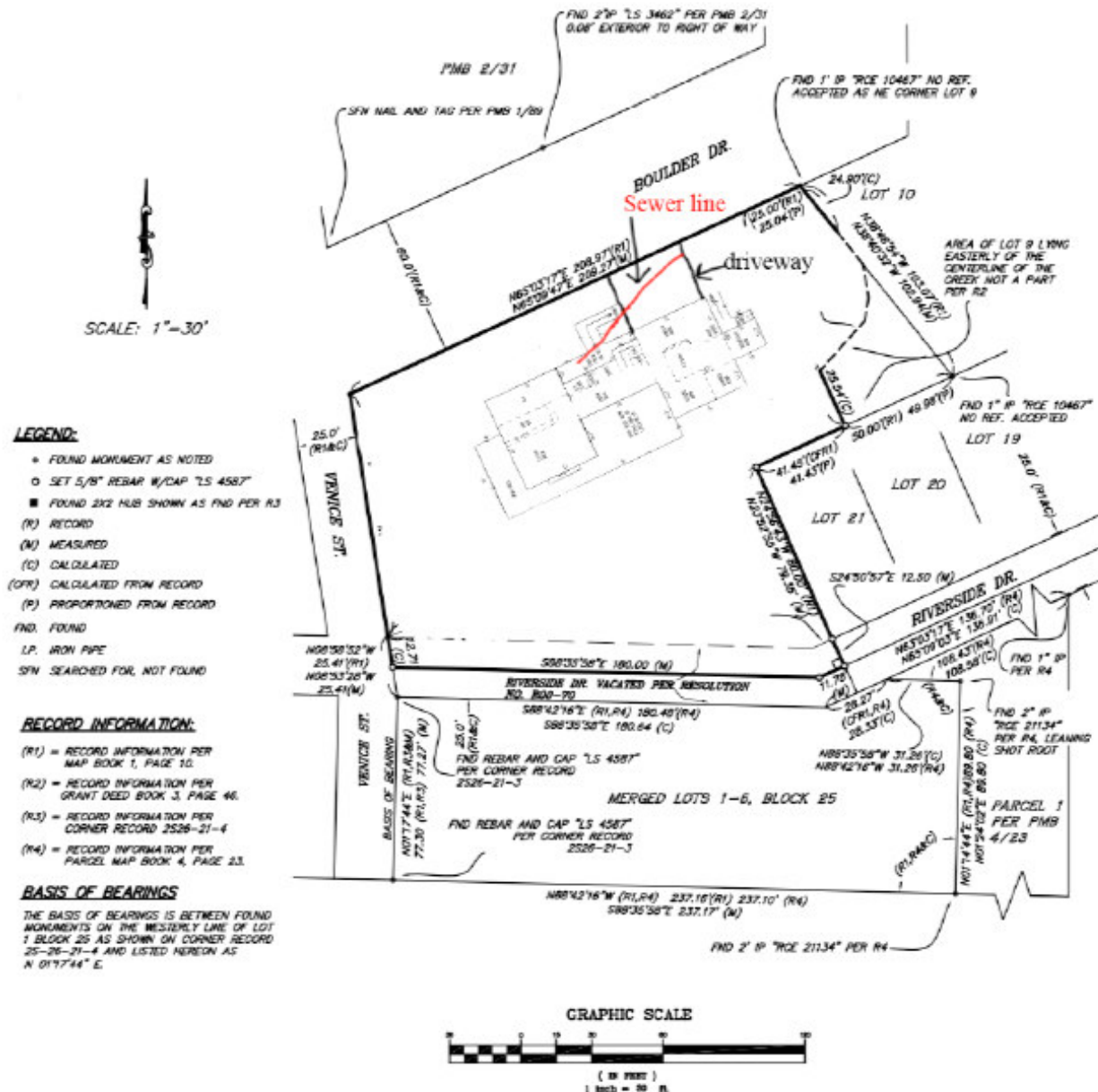
The project does not include any additional impervious surfaces that require snow removal and therefore would not require additional snow storage than what currently exists. Furthermore, there is ample snow storage available for any necessary snow removal on the property.

Figure 2

PROPERTY DETAILS

Vicinity Map and Plot Plan

Base layer prepared by Triad/Holmes Associates, Inc.



LAND DEVELOPMENT TECHNICAL ADVISORY COMMITTEE

The LDTAC met on June 4, 2011 and September 17, 2012 to review and provide input on the project proposal. LDTAC comments are incorporated and reflected in the project description and conditions of approval for this use permit.

ENVIRONMENTAL REVIEW

This project has been found to be categorically exempt from CEQA; a Class 1 Categorical Exemption under CEQA Guideline 15301 and Class 3 15303 Categorical Exemption under CEQA Guideline has been issued:

CEQA Guidelines 15301. Existing Facilities Class 1 consists of the operation, repair, maintenance permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The key consideration is whether the project involves negligible or no expansion of an existing use.

CEQA Guidelines 15303. New Construction or Conversion of Small Structures Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel.

GENERAL PLAN AMENDMENT FINDINGS

If the commission decides to recommend approval of General Plan Amendment 12-003 (a), the commission should make the findings contained in Planning Commission Resolution R12-04.

USE PERMIT FINDINGS

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

Section 32.010, Required Findings:

1. *All applicable provisions of the Mono County General Plan are complied with, and the site of the proposed use is adequate in size and shape to accommodate the use and to accommodate all yards, walls and fences, parking, loading, landscaping and other required features because:*
 - a) The parcel's lot size is 32,670 square feet, which is above the minimum required lot area of 20,000 square feet for the proposed use within this land use designation.
 - b) The project complies with all setbacks, parking and lot coverage as required under the General Plan.
 - c) Mono County General Plan, Land Use Designations, Commercial Lodging-High, permits the operation of a transient rental through a Director Review or Conditional Use Permit.
2. *The site for the proposed use related to streets and highways is adequate in width and type to carry the quantity and kind of traffic generated by the proposed use because:*
 - a) The parcel is accessed by Highway 158 and is adequate for the kind of traffic generated by the proposed use. An encroachment permit has been approved by Caltrans.

- b) Required parking spaces are subject to compliance with length and width dimensions and any other county requirements.
 - c) The project is not expected to generate significant amounts of traffic to alter existing circulation patterns.
3. *The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located because:*
- a) The proposed use is not expected to cause significant environmental impacts as there are minimal, if any, necessary improvements for the conversion of the single-family residence to a transient rental.
 - b) The proposed project is a conforming use according to the Mono County General Plan's Land Use Element. The use permit process provides the public the opportunity to comment on the proposal and no comments have been received in opposition to the project.
 - c) The project proposes no exterior modification and provides sufficient buffer from the existing residential properties due to topography and placement of the existing residential structure.
4. *The proposed use is consistent with the map and text of the Mono County General Plan because:*
- a) The Commercial Lodging-High designation in the General Plan permits the operation of a transient rental subject to Use Permit. The proposed use would be consistent with this designation, if the proposed General Plan Amendment is approved by the Board of Supervisors.
 - b) The project promotes the General Plan's County-Wide policies Objective D which states the county should provide for commercial development to serve both visitors and residents. Policy 4: Allow for the integration of small-scale commercial uses with associated residential uses. Objective H states: Maintain and enhance the local economy and Action 5.1 Encourage and promote the preservation and expansion of the county's tourist and recreation-based economy. The project provides for additional visitor lodging and encourages tourist-based economy by providing a variety of lodging options within the County and is consistent with the text and maps of the General Plan.
 - c) The project is located within the June Lake Planning Area. The June Lake Area Plan encourages providing a wide range of commercial and residential uses in the pedestrian-oriented atmosphere. The project provides for additional visitor lodging and encourages tourist-based economy by providing a variety of lodging options within the June Lake Loop.

MONO COUNTY

Planning Division

DRAFT NOTICE OF DECISION & USE PERMIT

USE PERMIT: UP 12-003

APPLICANT: Robert Foster

ASSESSOR PARCEL NUMBER: 016-186-007

PROJECT TITLE: Operation of a transient rental

PROJECT LOCATION: The project is located at 4838 Highway 158, June Lake, CA

On October 11, 2012, a duly advertised and noticed public hearing was held and the necessary findings, pursuant to Chapter 32.010, Land Development Regulations, of the Mono County General Plan Land Use Element, were made by the Mono County Planning Commission. In accordance with those findings, a Notice of Decision is hereby rendered for Use Permit 12-003, Foster, subject to the following conditions, at the conclusion of the appeal period, and upon approval by the Board of Supervisors of GPA 12-003(a).

CONDITIONS OF APPROVAL

See attached Conditions of Approval

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

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

DATE OF DECISION/USE PERMIT APPROVAL:
EFFECTIVE DATE USE PERMIT

October 11, 2012
October 22, 2012

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

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

MONO COUNTY PLANNING COMMISSION

DATED: October 11, 2012

cc: X Applicant
X Public Works
X Building
X Compliance

Conditions of Approval Use Permit 12-003/Foster

1. Use Permit 12-001 is conditioned upon approval of General Plan Amendment 12-003(a) to change the project parcel (APN 016-186-007) land use designation from Single-Family Residence to Commercial Lodging, High.
2. The applicant shall obtain the required approvals from Mono County Environmental Health. The spa pool at this residence does not meet State of California design and construction requirements to operate as a commercial spa. The spa shall be drained, cleaned and disinfected between different parties/rental groups. The spa shall be otherwise maintained in a clean and sanitary condition whenever open for use. The applicant shall prepare a letter of commitment to comply with these requirements and forward copies to the Mono County Health Department and to the Mono County Community Development Department.
3. The owner or property manager shall be available by telephone on a 24-hour basis to respond to calls regarding the conditions and/or operation of the unit. Failure to timely respond in an appropriate manner may result in revocation of the use permit and business license.
4. The project shall comply with Fire-Safe Regulations (Mono County General Plan, Land Use Element, Section VI Land Development Regulations, Chapter 22) pertaining to emergency access and vegetation modification.
5. The property shall comply with all land use regulations as set forth in the Mono County General Plan.
6. A Mono County business license must be obtained and must remain active at all times the property is used as a transient rental.
7. A Mono County Transient Occupancy Certificate must be obtained from the Department of Finance and will be issued at the time when all conditions of approval have been met.
8. The maximum number of persons who may occupy the property as overnight guests shall be limited to ten persons.
9. All signs shall be in conformance with Chapter 07 of the Mono County General Plan.
10. A sufficient number of trash receptacles shall be available. Trash and other solid waste shall not be allowed to accumulate in or around the property and shall be promptly removed to a designated landfill, transfer station or other designated site. Any trash

receptacles located outside a unit shall be in bear-proof containers and comply with any County standards.

11. Snow removal from driveways, walkways, stairs, decks, and any emergency access egress sites shall be performed prior to each occupancy period, and during any occupancy period as necessary.
12. The owner or property manager shall be responsible for compliance with all applicable codes regarding fire, building and safety, health and safety, and all other relevant laws.
13. The owner, or property manager, and guest shall comply with all lawful direction from any law enforcement officer, fire official, building official, or code compliance officer.
14. The applicant shall comply with the following requirements:
 - a. Health and Safety Requirements:
 - i. The address of the rental unit must be clearly visible from the street.
 - ii. Smoke detectors must be installed and maintained in good operating condition in each bedroom and sleeping area and at a point centrally located in the rental unit.
 - iii. The rental unit must be equipped with the requisite number of fire extinguishers determined by the building official and shall be mounted in visible locations and contain operating instructions. There shall be a minimum of one fire extinguisher for each floor.
 - b. Sign and Notification Requirements:
 - i. Exterior Sign and Notice. The rental unit shall be equipped with one temporary exterior identification sign not to exceed two (2) square feet in size that shall be posted each day the unit is being rented on a transient basis. This sign shall clearly state the following information in lettering of sufficient size to be easily read:
 1. The name of the managing agency, agent, property manager or owner of the unit and the telephone number where said person or persons can be reached on a 24-hour basis.
 2. The maximum number of occupants permitted to stay in the unit.
 - ii. Interior Notice. A clearly visible and legible notice posted within the unit adjacent to the front door that shall contain the same information set forth above, and shall include the following:
 1. Notification and instructions about the proper disposal of trash and refuse.
 2. Notification and instructions concerning the proper use of any appliances, fireplaces, heaters, spas, or any other fixture or feature within the unit.
 3. Notification that any violation of rules or regulations set forth in the Rental Agreement may be a violation of this Use Permit and

may result in immediate removal from the premises and administrative, civil or criminal penalty.

4. Address and location of transient rental residence.

- c. The temporary rental or use of each rental unit shall be made pursuant to a Rental Agreement. The rental agreement shall include, as attachments, a copy of this Use Permit Conditions of Approval for the unit. Each rental agreement shall contain all required notices and shall specify the number of persons who may occupy the unit, trash disposal requirements, and include the telephone number of the person or persons to be notified in the event of any problem that arises with the rental. The agreement shall include the phone number, address, and contact information for the person responsible for renting the unit, and any other information required by the County.
15. The owner shall use best efforts to assure that the occupants and/or guests of the rental property do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate any law. If an owner or agent of the owner is informed about any violation of this section, the owner or owner's agent shall promptly use best efforts to stop or prevent a recurrence of such conduct, including, when appropriate, calling law enforcement.
 16. Any required County fees must be paid in full.
 17. If any of these conditions are violated, this permit and all rights hereunder may be revoked in accordance with Section 32.080 of the Mono County General Plan, Land Development Regulations.
 18. An inspection and/or audit of each unit subject to this Use Permit, and any contract or agreement entered into in furtherance of, or to implement, this Use Permit, may be made at any reasonable time and upon reasonable notice to confirm compliance with this Use Permit.
 19. This use permit recognizes the voluntary deed restriction recorded by the property owner and thus prohibits other property uses not allowed by the deed restriction unless further approvals are granted following necessary environmental review.



RESOLUTION NO. R12-04

A RESOLUTION OF THE MONO COUNTY PLANNING COMMISSION INITIATING & RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT GENERAL PLAN AMENDMENT 12-003(a), CHANGING THE CURRENT LAND USE DESIGNATION FROM SINGLE-FAMILY RESIDENTIAL TO COMMERCIAL LODGING- HIGH FOR ASSESSOR PARCEL NUMBER 016-186-007.

WHEREAS, in connection with a Use Permit application for a transient rental, the property owner has applied for a General Plan Map Amendment and initiation of such amendment is warranted; and

WHEREAS, the proposed General Plan Amendment 12-003(a) and Use Permit 12-003 address the redesignation of Assessor's Parcel #016-186-007 from Single-Family Residential (SFR) to Commercial Lodging- High (CL-H); and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) for the above project, this commission has determined that the proposed GPA would not have a significant effect upon the environment and a Categorical Exemption has been prepared; and

WHEREAS, in accordance with state law and Chapter 46, Section 46.020, the Planning Commission has held a public hearing to receive any and all testimony of affected property owners and thereafter will forward a recommendation to the Board of Supervisors; and

WHEREAS, in consideration of evidence and testimony presented at the public hearing in accordance with Chapter 48 of the Land Use Element of the General Plan, the Planning Commission hereby adopts the following findings with respect to the proposed GPA:

1. *The proposed change in the land use designation is consistent with the text and maps of this General Plan.*

The project promotes the General Plan's countywide policies Objective D, which states the County should provide for commercial development to serve both visitors and residents. Policy 4: Allow for the integration of small-scale commercial uses with associated residential uses. Objective H states: Maintain and enhance the local economy and Action 5.1: Encourage and promote the preservation and expansion of the county's tourist and recreation-based economy. The project provides for additional visitor lodging and encourages tourist-based economy by providing a variety of lodging options within the county and is consistent with the text and maps of the General Plan.

2. *The proposed change in land use designation is consistent with the goals and policies contained within any applicable area plan.*

The project is located within the June Lake Planning Area. The June Lake Area Plan encourages providing a wide range of commercial and residential uses. The project provides for additional visitor lodging and encourages tourist-based economy by providing a variety of lodging options within the June Lake Loop.

1
2 ATTEST:

APPROVED AS TO FORM:

3
4
5 C.D. Ritter, Commission Secretary

Stacey Simon, Assistant County Counsel

RECORDING REQUESTED BY AND

WHEN RECORDED RETURN TO:

Stacey Simon

Office of the Mono County Counsel

P.O. Box 2415

Mammoth Lakes, CA 93546

APN # 016-186-007

DEED RESTRICTION, COVENANT, AND AGREEMENT

THIS DEED RESTRICTION, COVENANT, AND AGREEMENT is made this _____ day of _____, 2012, by Robert Foster having an address at 4835 Highway 158, in June Lake, CA 93529 (■Property Owner•), in favor of the County of Mono, a political subdivision of the State of California (■County•).

WITNESSETH

WHEREAS, Property Owner is the sole owner in fee simple of certain real property consisting of a home located at 4835 Highway 158, in June Lake, Mono County, California, APN 016-186-007, more particularly described in Exhibit A, attached hereto and incorporated by this reference (the ■Property•); and

WHEREAS, the Property having heretofore been designated Single Family Residential pursuant to the Land Use Element of the Mono County General Plan ("General Plan"); and

WHEREAS, Property Owner has applied to County for an amendment to the General Plan to change the Property's land use designation to ■Commercial Lodging-High,• so that the Property can be operated as a transient rental; and

WHEREAS, County Planning Commission has issued a conditional use permit (■CUP•) to Property Owner for the purpose of approving of the use of the Property as a transient rental, effective only upon the Property being designated as Commercial Lodging-High pursuant to Mono County General Plan; and

WHEREAS, Property Owner desires, provided that the Property is designated by County as Commercial Lodging-High, to restrict the Property so that it may be used only as a transient rental, unless Property Owner or its successor applies for and is duly approved by County for other or additional uses on the Property; and

WHEREAS, County is in agreement with the Property being restricted as set forth above and agrees to accept conveyance of the rights hereby granted and to honor the intentions of Property Owner as stated herein;

NOW, THEREFORE, in consideration of the above and the mutual covenants, terms, conditions, covenants, and restrictions contained herein, Property Owner hereby grants and conveys to County a deed restriction and covenant over the Property, of the nature and character and to the extent hereinafter set forth (■Restriction•).

1) Purpose. It is the purpose of this Restriction to assure that the Property will be used only as a single family residence, or as a transient rental subject to the applicable CUP, and to prevent any use of the Property that is inconsistent therewith. It is further intended that the Restriction made herein be considered a covenant and an enforceable equitable servitude upon the Property,

which shall be binding on all parties having or acquiring an interest in the Property, and their successors and assigns.

2) Rights of County. To accomplish the purpose of this Restriction the County shall have the right to prevent any activity on or use of the Property that is inconsistent with the purpose of this Restriction.

3) Reserved Rights. Property Owner reserves to itself and its personal representatives, heirs, successors, lessees, and assigns, all rights accruing from its ownership of the Property, including the right to engage in or permit or invite others to engage in all uses of the Property that are not expressly prohibited herein and are not inconsistent with the purpose of the Restriction.

4) County's Remedy. If County determines that Property Owner is in violation of the terms of this Restriction or that a violation is threatened, County shall give written notice to Property Owner of such violation and demand corrective action sufficient to cure the violation. If Property Owner fails to cure the violation within 30 days after the receipt of notice thereof from County, County may bring an action at law or in equity in a court of competent jurisdiction to enforce the terms of this Restriction or otherwise enforce this agreement as provided by law.

5) Costs of Enforcement. Any costs incurred by County in enforcing the terms of this Restriction against the Property Owner, including, without limitation, costs of suit and attorneys' fees, shall be borne by Property Owner.

6) Access. No right of access by the general public to any portion of the Property is conveyed by this Restriction.

7) Costs and Liabilities. Property Owner retains all responsibilities and shall bear all costs and liabilities of any kind related to the ownership, operation, upkeep, and maintenance of the

Property.

8) Extinguishment. If circumstances arise in the future such as render the purpose of this Restriction impossible to accomplish, Property Owner may apply to County to have this Restriction extinguished. Property Owner understands and agrees that any such extinguishment may be granted in the discretion of the County and must be processed in compliance with the California Environmental Quality Act ("CEQA"). Alternatively, Property Owner may seek to have the Property re-designated as Residential. This Restriction will become eliminated and extinguished upon Property Owner applying and becoming duly approved by County, in accordance with applicable County standards in place at that time and in accordance with CEQA, to make uses at the Property which are further and/or other than those contemplated by this agreement.

11) Notices. Any notice, demand, request, consent, approval, or communication that either party desires or is required to give to the other shall be in writing and be either served personally or sent by first class mail, postage prepaid, addressed as follows: To Property Owner: Robert Foster, PO Box 594, June Lake CA 93259. To County: Mono County Community Development Director, P.O. Box 347, Mammoth Lakes, CA 93546; or to such other address as either party from time to time shall designate by written notice to the other.

12) Recordation. County shall record this instrument in a timely fashion in the official records of Mono County, California and may re-record it any time as may be required to preserve its right in this Restriction and Covenant.

13) General Provisions.

(a) Controlling Law. The interpretation and performance of this Restriction shall be governed by the laws of the State of California.

(b) Liberal Construction. If any provision in this instrument is found to be ambiguous, an interpretation consistent with the purpose of this Restriction that would render the provision valid shall be favored over any interpretation that would render it invalid.

(c) Severability. If any provision of this Restriction, or the application thereof to any person or circumstance, is found to be invalid, the remainder of the provisions of this Restriction, or the application of such provision to persons or circumstances other than those as to which it is found to be invalid, as the case may be, shall not be affected thereby.

(d) Entire Agreement. This instrument sets forth the entire agreement of the parties with respect to the Restriction and supersedes all prior discussions, negotiation, understandings, or agreements relating to the Restriction, all of which are merged herein.

(e) No Forfeiture. Nothing contained herein will result in a forfeiture or reversion of Property Owner's title in any respect.

(f) Successors. The covenants, terms, conditions and restrictions of this Restriction shall be binding upon and inure to the benefit of, the parties hereto and their respective personal representative, heirs, successors, and assigns and shall continue as a servitude running with the Property.

(g) Counterparts. The parties may execute this instrument in two or more counterparts, which shall, in the aggregate be signed by both parties; each counterpart shall be deemed an original instrument as against any party who has signed it. In the event of any disparity between the counterparts produced, the recorded counterpart shall be controlling.

14) Effective Only Upon Designation as Commercial Lodging-High. This agreement shall only become effective upon County's approval of an amendment to the general plan to designate the Property ■Commercial Lodging-High.●

IN WITNESS WHEREOF, Property Owner and County have set their hands on the day and year first above written.

Robert Foster, Dated _____, Property Owner,

By: _____, Trustee.

By: _____, Trustee.

County of Mono, County:

By: _____

Its: _____.

Schedule of Exhibits: A - Legal Description of Property Subject to Restriction.

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

October 11, 2012

To: Mono County Planning Commission

From: Courtney Weiche, Associate Planner
Gerry LeFrancois, Principal Planner
Stacey Simon, Assistant County Counsel

Re: Mammoth Pacific I Replacement Project including:
1) Certify Final EIR and Mitigation Implementation and Monitoring Program
2) Approve Conditional Use Permit 12-004
3) Approve Variance 12-002
4) Approve Reclamation Plan 12-001
5) Recommend approval of Clarifying General Plan Amendment 12-003(b)

I. RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution R12-XX taking the following actions:

- A. Adopt and certify the Final EIR and mitigation monitoring and reporting program for Mammoth Pacific I Replacement Project, finding that:
 1. In compliance with CEQA Guidelines Section 15090 (a):
 - a. The Final Environmental Impact Report (Final EIR) has been completed in compliance with CEQA;
 - b. The Final EIR was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information contained in the Final EIR prior to approving the project; and
 - c. The Final EIR reflects the lead agency's independent judgment and analysis.
- B. Make required findings and approve Use Permit application 12-004 subject to the Mitigation Monitoring and Reporting Program and Conditions of Approval; and
- C. Make required findings and approve Variance 12-002 subject to the Mitigation Monitoring and Reporting Program and Conditions of Approval; and
- D. Make required findings and approve Reclamation Plan 12-001, subject to the Mitigation Monitoring and Reporting Program and Conditions of Approval; and
- E. Make required findings and recommend that the Board of Supervisors approve Clarifying General Plan Amendment 12-003 (b).

II. PROJECT OVERVIEW, SETTING AND LAND USE

The existing Mammoth Pacific Unit I (MP-I) project is a commercial geothermal development project operated by Mammoth Pacific L.P. (MPLP) and located near Casa Diablo Hot Springs. The existing MP-I project consists of a binary power plant with a design capacity of about 14 megawatts (MW), a geothermal wellfield, production and injection fluid pipelines, and ancillary facilities that have been operating since 1984. The existing MP-I power plant site is located approximately 1,200 feet northeast of

the intersection of U.S. Highway 395 and California State Route 203 on 90 acres of private (fee) land owned by Ormat Nevada, Inc. (Ormat), the parent company of MPLP. The proposed plant site would be constructed and operated within the existing Casa Diablo geothermal complex

The Mammoth Pacific I Replacement Project (Project) was proposed by MPLP to replace the aging MP-I power plant with a new, more modern and efficient binary power plant (M-1), while maintaining the existing geothermal wellfield, pipeline system and ancillary facilities. The proposed M-1 replacement power plant would be capable of generating, on average, approximately 18.8 MW (net) of electricity. No net change in the rate of geothermal fluid produced and supplying the existing Casa Diablo geothermal development complex would result, and no substantive change to the geothermal reservoir would occur as a result of the Project. During M-1 plant startup operations, the existing MP-1 plant would continue to operate until the new M-1 plant becomes commercial, after which time the old MP-1 plant would be closed and dismantled. The old MP-1 plant site would be converted to an equipment storage area as part of the decommissioning process and the entire site would be subject to a Reclamation Plan providing for ultimate return of the property to natural conditions. The transition period during which both plants would overlap would be a period of up to two years from the date the M-1 plant begins startup operations, but would not involve any new geothermal extraction.

The new M-1 plant site would be located to the east on the approximately 50-acre parcel, and within an area designated as Resource Extraction (RE) which “is intended to provide for protection of the environment and resource extraction activities . . . and for processing plants utilizing on-site materials or materials found in close proximity to the site.” The existing MP-1 plant site decommissioning activities and establishment of a storage area, would be conducted on private land with a land use designation (LUD) of Resource Management (RM) which is intended “to recognize and maintain a wide variety of values in the lands outside existing communities,” including “geothermal or mineral resources.”

SURROUNDING LAND USES

The proposed plant site would be within an area circumscribed by the existing Casa Diablo geothermal complex, a group of three existing binary geothermal power plants located immediately northeast of the intersection of State Route 203 and Interstate Highway 395, and about two miles east of the Town of Mammoth Lakes. The off-site private lands in the Casa Diablo area predominantly designated as “Open Space”, while the public lands in the Casa Diablo area are predominantly designated Resource Management.

PROJECT COMPONENTS

To summarize, the following approvals are required from Mono County for the Project:

- A Conditional Use Permit for the M-1 replacement plant (including the granting of a height exception for mechanical appurtenances) and decommissioning/reuse of the existing MP-I plant site as a storage area;
- A Variance for setback reductions from property line(s); setback reductions from streams designated by a blue line on USGS topographic maps (for structures within the 5.7-acre proposed M-1 plant site); and for grading of the existing MP-I plant site for use as an equipment storage area;
- A Variance to construct an aboveground electrical transmission line;
- A Grading Permit;
- Building Permits; and
- A Reclamation Plan.

A clarifying General Plan revision is also proposed, but is not required for approval of the Project.

PROJECT OBJECTIVE

MPLP's specific objectives for the Project are: (a) to optimize the amount of electrical energy that can be generated from the available geothermal resources; (b) to replace the existing MP-I plant with a new, more modern and efficient binary power plant; and (c) to ensure continuous power generation and maximize utilization of the geothermal resource.

The objectives of Mono County for preparing this EIR are to comply with the requirements of CEQA and to evaluate the potential environmental impacts of the Project consistent with the requirements of CEQA and the County General Plan.

III. CONDITIONAL USE PERMIT 12-004

HEIGHT EXCEPTION

Although the proposed M-1 geothermal plant would have a maximum height of approximately 35 feet above the excavated ground level, there are several mechanical appurtenances (two purge tanks, of about 36 inches in length and 24 inches in diameter, a two-inch diameter pipe, and a one-inch diameter lightning mast/rod) that extend to approximately 40 feet in height. This would exceed the permitted maximum height of 35 feet; however, Mono County regulations allow for exceptions in the cases of mechanical appurtenances. These mechanical appurtenances are a part of this CUP and are evaluated on pp 4-2 – 4-35 of the RDEIR. As described in the EIR, these appurtenances would be nearly completely obscured by vegetation and the super-structure of the main plant and would be colored to blend with the existing background. The analysis shown in the EIR demonstrates the project would preserve scenic vistas and would not have any impact on surrounding properties.

IV. VARIANCE 12-002

SETBACKS

The proposed Project includes a request for a variance from two required setbacks; 100 feet from the south line and 500 feet from the surface watercourse. The proposed M-1 replacement plant location was specifically chosen, and the requested variances are needed, to avoid the many geological and geotechnical constraints present in the project parcel area. The proposed location is necessary to minimize risks to both the plant and its operating personnel and would not result in any significant environmental impacts.

ABOVEGROUND PIPELINE

The Project includes two proposals for the interconnection pipeline, both of which have been analyzed as part of the EIR. Much of the Project site consists of geothermal soils having elevated temperatures. Generally, underground transmission lines require properly designed thermal backfill to reduce heat buildup and consequent loss of electrical conductivity or even melting of the conduit. However, such heat buildup in an underground transmission line crossing warm or hot areas in the soil cannot be mitigated with thermal backfill. There would be no new overhead transmission line poles associated with either of the interconnection transmission line options and no significant visual or other impacts.

V. CLARIFYING GENERAL PLAN AMENDMENT 12-003(b)

The County proposes to add clarifying language to the Conservation and Open Space Element of its General Plan, as well as to the land development regulations in the Land Use Element of its General Plan

The pertinent language in the General Plan Land Use Element, land development regulations, section 15.070 (B)(1)(d) reads:

“No geothermal development located within the Hot Creek Buffer Zone shall occur within 500 feet on either side of a surface watercourse (as indicated by a solid or broken blue line on U.S. Geological Survey 7.5- or 15-minute series topographic maps).”

The requirement of section 15.070(B)(1)(d) is also cited in the General Plan Conservation and Open Space Element as an action taken by the County to further the following water quality and hydrologic goals and policies:

- (1) To “establish a regulatory process with respect to both geothermal exploration and development that ensures that permitted projects are carried out with minimal or no adverse environmental impacts.” (Cons/Open Space Element p. V-37, Goal 1); and
- (2) “Geothermal exploration and development projects shall be sited, carried out and maintained by the permit holder in a manner that best protects hydrologic resources and water quality and quantity.” (Cons/Open Space Element, p. V-40, Objective D, Policy 1.)

The County proposes to add clarifying language to the Conservation and Open Space Element to clearly identify Action 1.13 (supporting Goal 1 and Objective D, Policy 1) as being imposed by and implemented through section 15.070(B)(1)(d) of the Land Development Regulations and to clarify that the 500-foot setback from any surface watercourse is a land development regulation of the General Plan subject to variance in accordance with Chapter 33 and is not “imposed twice” by virtue of being cited as an action taken in furtherance of the goals and policies set forth in the Conservation and Open Space Element.

The proposed revisions are consistent with the County’s current and past interpretation of its own General Plan and with its intent upon adoption. There would be no substantive change to the General Plan. Future geothermal development would continue to be subject to the setback requirements of Section 15.070, unless a variance were granted.

The proposed clarifying General Plan revision would not result in a significant impact to the environment, nor cause or increase any environmental impact associated with the Project or with any other project or activity in Mono County or within the Hot Creek Buffer Zone. Rather, it clarifies the existing meaning and intent of the General Plan, and preserves the setbacks imposed by section 15.070(B)(1), along with the variance procedure for any future project involving geothermal development within the Hot Creek Buffer Zone.

VI. RECLAMATION PLAN

After the existing MP-I plant is dismantled, the plant facilities would be removed from the site, the site would be re-graded, covered with gravel and converted to a fenced equipment storage yard that would also be used periodically for overflow parking. This interim restoration of the MP-I plant site is described in the Reclamation Plan submitted to Mono County and provided in the agenda packet. In addition, site reclamation at the end of the Project is described in the Reclamation Plan which covers each of the geothermal projects on private land in the Casa Diablo geothermal development complex area (including the MP-I Project, the MP-II Project, and the M-1 Replacement Plant). The Reclamation Plan provides prescriptive measures for restoration of the entire area disturbed by these projects to a natural condition at the end of the project life.

VII. ENVIRONMENTAL REVIEW

An Initial Study of the potential environmental effects of the Project was prepared, a Notice of Preparation (NOP) of the Draft Environmental Impact Report (DEIR) was filed with the California State Clearinghouse and Planning Unit within the Governor’s Office of Planning and Research (OPR) and a public notice of intent to prepare an EIR for the Project was distributed. The notice was published in local newspapers on or about February 4, 2011. It was also distributed to responsible and trustee agencies and interested members of the public identified on the Mono County interested party list. A public scoping meeting for the Project was conducted on Thursday, February 17, 2011. Mono County received a total of two written comment letters on the Project following the public notice.

DRAFT ENVIRONMENTAL IMPACT REPORT

As a result of the Initial Study, and comments received from responsible/trustee agencies and the public during scoping for the DEIR, the following environmental resource topics were identified for detailed environmental assessment.

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Noise

The Draft EIR was originally circulated for public review from July 13, 2011 to August 26, 2011.

REVISED DRAFT ENVIRONMENTAL IMPACT REPORT (RDEIR)

After review of comments made on the earlier DEIR, it was determined that significant new information was needed to address comments on the proposed Project. Under the California Environmental Quality Act (CEQA), recirculation of a Draft EIR is required when significant new information changes the EIR. As such, a decision to revise and recirculate the Draft EIR was made to provide the public an opportunity to review additional Project information provided by the Applicant; new baseline biological resources information; and supplemental documentation not provided with the earlier published Draft EIR.

A Revised Draft Environmental Impact Report (RDEIR) was prepared. The RDEIR provided Appendices A through L to support the document. The RDEIR substantially amended the earlier Draft EIR such that reviewers were invited to submit new comments on the RDEIR for written response in this FEIR. The previous comments received on the earlier Draft EIR remain part of the administrative record, but the previous comments do not require written response.

A shortened 30-day public review period for the Recirculated Draft EIR was requested and approved by the State Clearinghouse. The public review period began at 8:00 a.m. on Friday, February 24, 2012 and ended at 5:00 p.m. on Monday, March 26, 2012.

SECOND REVISED DRAFT ENVIRONMENTAL IMPACT REPORT (RDEIR2)

In response to a concern raised by a commenter on the RDEIR, the County proposed to clarify the language of the Land Use and Conservation/Open Space Elements. In order to evaluate these proposed clarifications, a new Land Use/Planning section was added to the RDEIR to provide information for public review and comment. This second RDEIR (RDEIR2) was recirculated to provide the public and interested agencies with the opportunity to review and comment on the supplemental information provided in the new Land Use/Planning section and the associated changes to the RDEIR. Only the new Land Use/Planning section and the related changes to the text of the RDEIR were circulated for public review. Comments previously received on the RDEIR that pertain to other subjects have also been responded to and are addressed in the Final EIR, along with any agency/public comments on the RDEIR2.

All of the new or supplemental information to the RDEIR was analyzed as appropriate in various sections of the RDEIR2. The RDEIR2 provided Appendices M through O to support the document. The new or revised information included:

- Land Use/Planning Section 4.10;
- Cumulative Impact Land Use/Planning Section 5.3.10; and

- Assorted changes to earlier RDEIR text needed for document consistency with the added Land Use/Planning sections.

A shortened 30-day public review period for the RDEIR2 was requested and approved by the State Clearinghouse. However, the County subsequently decided to extend the shortened review period to the normal 45-day public review period. The public review period began at 8:00 a.m. on Friday, July 6, 2012 and the extended 45-day public review period ended at 5:00 p.m. on Monday, August 20, 2012.

FINAL ENVIRONMENTAL IMPACT REPORT

The Final EIR allows the public and Lead Agency to review revisions to the RDEIR/RDEIR2, comments, and responses to comments before approval of the project. The FEIR, which includes the RDEIR and RDEIR2, incorporated by reference) will serve as the environmental document used by Mono County when considering approval of the Project. After completing the FEIR and before approving the Project, the Lead Agency must make the following three certifications (CEQA Guidelines Section 15090).

1. The FEIR has been completed in compliance with CEQA;
2. The FEIR was presented to the decision-making body of the Lead Agency, and the decision-making body reviewed and considered the information in the FEIR prior to approving the project; and
3. The FEIR reflects the Lead Agency's independent judgment and analysis.

VIII. LDTAC REVIEW

The Land Development Technical Advisory Committee (LDTAC) has met to consider the project application and the project Conditions of Approval and Mitigation Monitoring and Reporting Program. LDTAC recommendations have been reflected in the project mitigation measures and/or Conditions of Approval.

The Community Development Director and Economic Development Director have also both reviewed and approved the staff report and various findings for the project.

IX. FINDINGS

CONDITIONAL USE PERMIT FINDINGS

If the Commission decides to approve Conditional Use Permit 12-004, the Commission should make the findings contained in Exhibit C to Planning Commission Resolution R12-XX.

VARIANCE FINDINGS

If the commission decides to approve Variance 12-002, the Commission should make the findings contained in Exhibit B to Planning Commission Resolution R12-XX.

RECLAMATION FINDINGS

If the Commission decides to approve Reclamation Plan 12-001, the Commission should make the findings contained in Exhibit D to Planning Commission Resolution R12-XX.

GENERAL PLAN AMENDMENT FINDINGS

If the Commission decides to recommend approval of General Plan Amendment 12-003(b), the Commission should make the findings contained in Exhibit E to Planning Commission Resolution R12-XX.

ENVIRONMENTAL FINDINGS PURSUANT TO CEQA GUIDELINE SECT. 15091

If the Commission decides to adopt and certify the Final EIR, the Commission should make the findings contained in Exhibit A to Planning Commission Resolution R12-XX.

X. ENCLOSURES

- 1) Resolution R12- XX [including exhibits A, B, C, D, E and F]
- 2) Reclamation Plan (including Landscape Plan)
- 3) Outdoor Lighting Plan
- 4) Black Eagle Consulting letter
- 5) Economic Analysis provided by ORMAT
- 6) Final EIR with Exhibits I, II, & III (CD copy enclosed & hard copy available upon request)
- 7) Notice of Decision/Use Permit (including Mitigation Monitoring and Reporting Program)



RESOLUTION R12-05

**A RESOLUTION OF THE MONO COUNTY PLANNING COMMISSION
CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT
FOR THE MAMMOTH PACIFIC I REPLACEMENT PROJECT,
APPROVING A CONDITIONAL USE PERMIT, VARIANCE, AND RECLAMATION PLAN
FOR THE PROJECT, AND RECOMMENDING THAT THE BOARD OF SUPERVISORS
APPROVE A CLARIFYING AMENDMENT TO THE MONO COUNTY GENERAL PLAN
REGARDING GEOTHERMAL DEVELOPMENT
WITHIN 500 FEET OF A MAPPED WATERCOURSE**

WHEREAS, the Mammoth Pacific I Replacement Project proposes to replace the existing MP-1 power plant, located near Casa Diablo Hot Springs, with a new, more modern and efficient binary power plant to be located on an adjacent site; to provide for reclamation and partial reuse of the existing power plant site; and to provide for the ultimate reclamation of all operations on the site, without altering the existing geothermal well field or changing the level of geothermal extraction (the “Project”); and

WHEREAS, the Project includes approval of a Conditional Use Permit; approval of a variance from the 100-foot property-line and 500-foot stream setbacks applicable to geothermal development, authorization for the placement of an aboveground transmission pipeline, and a recommendation that the Board of Supervisors add clarifying language to the Mono County General Plan related to the 500-foot stream setback; and

WHEREAS, Mono County has caused to be prepared an Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA) for the Project; and

WHEREAS, the Mono County Planning Commission did, on October 11, 2012, hold a properly noticed and advertised public hearing to hear all testimony relevant to the Project, Final EIR, and approvals; and

WHEREAS, based on the information provided in the draft and Final EIRs, public comment received on the Project, and taking into account the recommendations of staff, the Mono County Planning Commission desires to approve the Conditional Use Permit, grant the requested variance, approve the Reclamation Plan, and recommend that the Board of Supervisors approve the clarifying General Plan amendment.

NOW, THEREFORE, Mono County Planning Commission hereby **FINDS** and **RESOLVES** that:

1. A Final Environmental Impact Report (Final EIR) has been completed for the Project in compliance with CEQA; and
2. The Final EIR has been presented to the Planning Commission, which is the decision maker with respect to the Conditional Use Permit, Variance, and Reclamation Plan for the Project and is the advisory body to the Board of Supervisors with respect to the proposed General Plan Amendment; and

3. The Planning Commission has reviewed and considered the information contained in the Final EIR (and the draft EIRs) for the Project; and
4. The Final EIR reflects the lead agency's independent judgment and analysis; and
5. The Final EIR has identified potentially significant effects of the project which, as the result of changes or alterations incorporated into the Project, have been avoided or reduced to a less-than-significant level, as set forth in Exhibit A to this resolution, which is hereby incorporated by this reference as if fully set forth herein; and
6. Potential alternatives to the proposed Project are either not feasible or do not provide environmental benefit in comparison to the proposed Project, as set forth in Exhibit A; and
7. The Mono County Planning Commission does hereby certify and adopt the Final EIR and the mitigation monitoring and reporting program for the Mammoth Pacific I Replacement Project.

BE IT FURTHER RESOLVED THAT the Mono County Planning Commission hereby:

1. Makes each of the findings set forth in Exhibit B to this resolution, which is hereby incorporated by reference as if fully set forth herein, related to approval of a variance from specified provisions of the Land Development Regulations and Land Use Designation; and
2. Approves Variance 12-002 authorizing a variance from the 100-foot property line setback, a variance from the 500-foot surface watercourse setback, and a variance from the provisions of section 11.010 of the General Plan related to the undergrounding of utilities for the Project, as described in the EIR.

BE IT FURTHER RESOLVED THAT the Mono County Planning Commission hereby:

1. Makes each of the findings set forth in Exhibit C to this resolution, which is hereby incorporated by reference as if fully set forth herein, related to approval of a Conditional Use Permit for the Project; and
2. Approves Conditional Use Permit 12-004 for the Project, including all Conditions of Approval, the Mitigation Monitoring, and Reporting Program, and a height exception for mechanical appurtenances, as described in the EIR.

BE IT FURTHER RESOLVED THAT the Mono County Planning Commission hereby:

1. Makes each of the findings set forth in Exhibit D to this resolution, which is hereby incorporated by reference as if fully set forth herein, related to approval of a Reclamation Plan for the Project; and

- 1 2. Approves Reclamation Plan 12-001 for the Project.

2
3 **BE IT FURTHER RESOLVED THAT,** the Mono County Planning Commission hereby:

- 4 1. Finds that the proposed change to the text of the Land Development Regulations of the
5 General Plan in General Plan Amendment 12-003(b) is consistent with the General Plan and
6 any applicable area plan as set forth in Exhibit E to this resolution, which is attached hereto
7 and hereby incorporated by reference; and
8 2. Recommends that the Board of Supervisors approve the Final EIR and GPA 12-003(b), as
9 set forth in Exhibit F to this resolution, which clarifies existing language in the Mono
10 County General Plan related to setbacks from a surface watercourse applicable to
11 geothermal development.

12 **PASSED AND ADOPTED** this 11th day of October, 2012, by the following vote of the Planning
13 Commission, County of Mono:

14 AYES :

15 NOES :

16 ABSENT :

17 ABSTAIN :

18
19 _____
20 Steve Shipley, Chair

21
22 ATTEST:

23
24 APPROVED AS TO FORM:

25 _____
26 CD Ritter
27 Secretary of the Planning Commission

28 _____
29 Stacey Simon
30 Assistant County Counsel

EXHIBIT A

DRAFT ENVIRONMENTAL IMPACT FINDINGS PURSUANT TO CEQA GUIDELINE SECTION 15091 MAMMOTH PACIFIC I REPLACEMENT PROJECT FINAL ENVIRONMENTAL IMPACT REPORT

The State of California Public Resources Code Section 21081 and CEQA Guidelines Section 15091 require a public agency, prior to approving a project, to identify significant impacts of the project and make one or more of three allowable findings for each of the significant impacts:

- The first allowable finding is that “[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.” (State CEQA Guidelines Section 15091, subd. (a)(1))
- The second allowable finding is that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.” (State CEQA Guidelines, Section 15091, subd. (a)(2))
- The third allowable finding is that “[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.” (State CEQA Guidelines, Section 15091 (a)(3))

After reviewing the Final EIR and the public record on the Project, the County hereby makes the findings in Parts I through IV of this document regarding the significant effects of the Mammoth Pacific I Replacement Project (Project) pursuant to Section 15091 of the State CEQA Guidelines.

All effects of the Project on the environment are hereby found to be not significant after mitigation. Cumulative impacts of the Project in conjunction with other related approved, proposed, or projects currently under construction have been addressed where applicable, and would not be significant after mitigation.

PART I: FINDINGS RELATIVE TO POTENTIALLY SIGNIFICANT IMPACTS

Because certain effects of the Project were analyzed in the EIR as *potentially* significant and because project design features, alterations, or mitigation measures have been imposed which avoid or further reduce those effects, the Planning Commission hereby finds as follows:

A. Aesthetics

1. Potentially Significant Effect: The Project could substantially degrade the existing visual character or quality of the site and its surroundings if not subject to design features, alterations, or mitigation measures.

Statement of Facts: The Project implements design features designed to screen the proposed M-1 plant from public view. These features consist of earth-tone painting, pine tree preservation, a restriction on the height of materials stored, and placement of the interconnection transmission line near ground level. In addition, a Landscape Plan has been prepared and must be approved by the

County. The Landscape Plan identifies specific visual screening measures to be implemented at the storage yard to be located in the footprint of the existing MP-I plant, which is to be removed. With implementation of these design features and the protection measure, Project impacts would be less than significant and no mitigation is required.

Finding: Changes or alterations have been required in, or incorporated into the Project which reduces this potential impact to a level that is less than significant.

2. Potentially Significant Effect: The Project could create a new source of substantial light or glare that would adversely affect nighttime views in the area if not subject to design features, alterations, or mitigation measures.

Statement of Facts: The Project implements design features to reduce nighttime visibility caused by lighting of the proposed M-1 plant and associated facilities. These features consist of downward projection of power plant lighting and preparation/implementation of an Outdoor Lighting Plan for the Project in conformance with County Dark Sky Regulations. With implementation of these design features, Project impacts would be less than significant and no mitigation is required.

Finding: Changes or alterations have been required in, or incorporated into the Project which reduces this potential impact to a level that is less than significant.

B. Air Quality

1. Potentially Significant Effect: The Project could conflict with or obstruct implementation of the applicable air quality plan if not subject to design features, alterations, or mitigation measures.

Statement of Facts: The Project implements design features designed to eliminate the potential for conflicts with applicable Great Basin Unified Air Pollution Control District (GBUAPCD) plans and policies, including obtaining an Authority to Construct permit for the proposed M-1 plant and permits to operate the diesel fueled emergency generator and firewater pump generator. All permits shall be obtained from the GBUAPCD. With implementation of these design features, Project impacts would be less than significant and no mitigation is required.

Finding: Changes or alterations have been required in, or incorporated into the Project which reduces this potential impact to a level that is less than significant.

2. Potentially Significant Effect: The Project could result in the violation of an air quality standard or contribute substantially to an existing air quality violation if not subject to design features, alterations, or mitigation measures.

Statement of Facts: The Project implements design features to ensure that air pollution emissions from the site are reduced to the maximum extent practicable. These features consist of installing a vapor recovery unit to capture motive fluid that could otherwise be released during plant maintenance and compliance with fugitive dust emission control measures during Project construction activity.

With implementation of these design features, Project impacts would be less than significant and no mitigation is required.

Finding: Changes or alterations have been required in, or incorporated into the Project which reduces this potential impact to a level that is less than significant.

C. Biological Resources

1. Potentially Significant Effect: The Project could have a substantial adverse effect on riparian habitat and/or federally protected wetlands as defined by Section 404 of the Clean Water Act if not subject to design features, alterations, or mitigation measures.

Statement of Facts: The Project implements design features designed to reduce soil erosion and sedimentation impacts associated with runoff from the Project site. These design features include installation of a subsurface retention basin at the proposed M-1 plant site, implementation of erosion control/stormwater construction best management practices (BMPs) in the interim site reclamation plan for the MP-I plant site, and implementation of M-1 plant site construction and post-construction BMPs. With implementation of these design features, Project impacts would be less than significant and no mitigation is required.

Finding: Changes or alterations have been required in, or incorporated into the Project which reduces this potential impact to a level that is less than significant.

2. Potentially Significant Effect: The Project could interfere with the movement of native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites if not subject to design features, alterations, or mitigation measures.

Statement of Facts: The Project implements design features intended to reduce potential interference with fish and wildlife. These design features include (a) implementation of a 15 mile-per-hour speed limit for all on-site construction vehicles; (b) construction and operation noise reduction measures including use of noise attenuation devices on construction equipment; (c) incorporation of erosion/sedimentation and spill control measures into the Project design, including a Spill Prevention, Control and Countermeasure (SPCC) Plan; (d) avoiding removal of existing trees in the placement of the interconnection injection pipeline; (e) prohibition on the installation of linear barriers to movement of deer or other wildlife between the existing plant and the replacement plant; (f) construction of a new deer crossing; (g) maintenance of existing mule deer movement corridor on northeastern side of complex; (h) fencing of waste facilities to avoid attracting potential predators; (i) shielding of lighting; (j) dog leash requirements; (k) slope limitations to prevent wildlife from being trapped in basins; (l) installation of passive raptor deterrents, and (m) revegetation requirements. With implementation of these design features, Project impacts would be less than significant and no mitigation is required.

Finding: Changes or alterations have been required in, or incorporated into the Project which reduces this potential impact to a level that is less than significant.

3. Potentially Significant Effect: In the absence of the Project, there could be an adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service if not subject to design features, alterations, or mitigation measures.

Statement of Facts: MPLP is currently conducting the hydrologic and biological monitoring prescribed by Mono County General Plan with respect to its existing operations, but existing permit requirements for such monitoring only exist under the MP-II and PLES-I project approvals. Should these two projects be abandoned prior to the abandonment of the MP-I Replacement Project, there would be no permit requirement to continue the prescribed monitoring for what could be an extended MP-I project life. Should the existing geothermal resource production and injection activities from the MP-I Plant result in changes in the temperature, flow rate or quality of the Hot Creek headsprings supporting the critical habitat of the Owens tui chub, then this could be a potentially significant impact under CEQA. Bio Mitigation Measure 1, which subjects the Project to the applicable hydrologic and biologic monitoring and remedial action program requirements set forth in the County General Plan, would ensure that such monitoring continues.

Finding: Changes or alterations have been required in, or incorporated into the Project which reduces this potential impact from existing operations to a level that is less than significant.

4. Potentially Significant Effect: The Project could have an adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service if not subject to design features, alterations, or mitigation measures.

Statement of Facts: As a result of the findings of the baseline biological resources survey, multiple actions were identified which, if implemented, would further reduce the potentially adverse effects of the Project on biological resources. These actions and others identified by this assessment have been compiled into required Bio Protection Measures 2 through 16. With implementation of these protection measures, Project impacts would remain less than significant and no mitigation is required.

Finding: Changes or alterations have been required in, or incorporated into the Project which reduces this potential impact to a level that is less than significant.

D. Cultural Resources

1. Potentially Significant Effect: The Project could cause a substantial adverse change in the significance of a historical or archaeological resource, may directly or indirectly destroy a unique paleontological resource, and/or may disturb undocumented human remains if not subject to design features, alterations, or mitigation measures.

Statement of Facts: The Project implements a design feature intended to reduce any potential impact to historical, archaeological, or paleontological resources that may be encountered at the Project site. This design feature requires the implementation of all environmental protection measures to reduce the adverse effects of the Project on cultural resources that were recommended in the baseline cultural resources survey reports prepared for the Project area. In addition, Cultural Protection Measure 1 is required to ensure that any human remains encountered during the construction phase of the Project are properly treated. With implementation of this design feature and protection measure, Project impacts would be less than significant and no mitigation is required.

Finding: Changes or alterations have been required in, or incorporated into the Project which reduces this potential impact to a level that is less than significant.

E. Geology and Soils

1. Potentially Significant Effect: The Project could expose structures to potential substantial adverse effects, including the risk of loss involving rupture of a known earthquake fault, strong seismic ground shaking, or seismic-related ground failure if not subject to design features, alterations, or mitigation measures.

Statement of Facts: The Project implements design features intended to reduce any potential adverse effects resulting from seismic activity in the surrounding vicinity. These design features would require the implementation of all measures recommended in the geotechnical site investigation reports to mitigate impacts due to geotechnical, soils, and geologic constraints; as well as require that all Project structures be constructed to meet applicable earthquake safety codes and the 2010 Uniform Building Code adopted by the County. In addition, Cultural Protection Measure 1 is required to ensure that any human remains encountered during the construction phase of the Project are properly treated. With implementation of these design features, Project impacts would be less than significant and no mitigation is required.

Finding: Changes or alterations have been required in, or incorporated into the Project which reduces this potential impact to a level that is less than significant.

F. Hazards and Hazardous Materials

1. Potentially Significant Effect: The Project could create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials if not subject to design features, alterations, or mitigation measures.

Statement of Facts: The Project implements a design feature requiring that no hazardous materials, chemicals, or wastes be stored in the new storage yard to be constructed in the footprint of the decommissioned MP-I plant. With implementation of this design feature, Project impacts would be less than significant and no mitigation is required.

Finding: Changes or alterations have been required in, or incorporated into the Project which reduces this potential impact to a level that is less than significant.

2. Potentially Significant Effect: The Project could create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment if not subject to design features, alterations, or mitigation measures.

Statement of Facts: The Project implements design features requiring that (a) the power plant site be designed and constructed to prevent fluids from leaving the site and to prevent runoff from being channeled or directed in an unnatural way so as to cause erosion or siltation; (b) install and maintain a system of pressure and flow sensing devices capable of detecting leaks and spills and regular inspection of all lines; (c) include the M-1 plant site and operations within the existing hazardous material management and emergency response program at the Casa Diablo geothermal complex; and (d) include the M-1 plant and operations within the existing fire prevention and suppression program at the Casa Diablo geothermal complex. With implementation of these design features, Project impacts would be less than significant and no mitigation is required.

Finding: Changes or alterations have been required in, or incorporated into the Project which reduces this potential impact to a level that is less than significant.

G. Hydrology and Water Quality

1. Potentially Significant Effect: The Project could provide additional sources of polluted runoff if not subject to design features, alterations, or mitigation measures.

Statement of Facts: The Project shall implement design features designed to reduce soil erosion and sedimentation impacts associated with runoff from the Project site. These design features include installation of a subsurface retention basin at the proposed M-1 plant site, implementation of erosion control/stormwater construction best management practices (BMPs) in the interim site reclamation plan for the MP-I plant site, and implementation of M-1 plant site construction and post-construction BMPs. With implementation of these design features, Project impacts would be less than significant and no mitigation is required.

Finding: Changes or alterations have been required in, or incorporated into the Project which reduces this potential impact to a level that is less than significant.

2. Potentially Significant Effect: The Project could degrade water quality if not subject to design features, alterations, or mitigation measures.

Statement of Facts: The Project implements a design feature to reduce the potential for pollution to reach surface drainages. This design feature includes incorporation of erosion/sedimentation and spill control measures into the Project design, including a Spill Prevention, Control and Countermeasure (SPCC) Plan. The power plant site must also be designed and constructed to prevent spills from leaving the site and to prevent runoff from being channeled or directed in an

unnatural way so as to cause erosion or siltation. In addition to this design feature, implementation of Hydro Mitigation Measures 1 and 2 is required in order to provide additional spill containment and emergency response planning at the Project site. Hydro Mitigation Measure 3, which would subject the Project to the applicable hydrologic and biologic monitoring and remedial action program requirements set forth in the County General Plan, (to which the existing MP-1 plant is not currently subject) will further enhance such protections.

Finding: Changes or alterations have been required in, or incorporated into the Project which reduces this potential impact to a level that is less than significant.

3. Potentially Significant Effect: The Project could violate waste discharge requirements if not subject to design features, alterations, or mitigation measures.

Statement of Facts: The Project implements a design feature to avoid the alteration of or discharge of material to the existing stream channel crossing the site. No element of the project construction will result in the alteration of, or discharge of fill material to, the blue-line drainage channel that crosses the site between the existing MP-I and proposed M-1 plant sites, adjacent to Old Highway 395. Prior to commencement of construction, the Applicant shall provide to the County the proposed engineering design for the road crossing which demonstrates to the County that no impact to this drainage channel would occur as a result of project construction. With implementation of this design feature, Project impacts would be less than significant and no mitigation is required.

Finding: Changes or alterations have been required in, or incorporated into the Project which reduces this potential impact to a level that is less than significant.

H. Noise

1. Potentially Significant Effect: The Project could result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project if not subject to design features, alterations, or mitigation measures.

Statement of Facts: The Project shall implement design features to reduce noise associated with Project construction activities. These design features limit construction activities to daylight hours, require on-site construction equipment to be equipped with noise attenuation devices, and require all construction activities and normal Project operations to comply with applicable County noise requirements. With implementation of these design features, Project impacts would be less than significant and no mitigation is required.

Finding: Changes or alterations have been required in, or incorporated into the Project which reduces this potential impact to a level that is less than significant.

I. Cumulative Effects

1. Potentially Significant Effect: The Project could combine with existing development in the vicinity to create a new source of substantial light or glare

that would adversely affect nighttime views in the area if not subject to design features, alterations, or mitigation measures.

Statement of Facts: The Project implements a protection measure to reduce nighttime lighting within the Casa Diablo geothermal complex. This protection measure requires that all projects within the Casa Diablo geothermal complex comply with applicable County lighting standards. With implementation of this protection measure, cumulative impacts would be less than significant and no mitigation is required.

Finding: Changes or alterations have been required in, or incorporated into the Project which reduces this potential impact to a level that is less than significant.

2. Potentially Significant Effect: The Project could combine with existing development in the vicinity to result in the violation of an air quality standard or contribute substantially to an existing air quality violation if not subject to design features, alterations, or mitigation measures.

Statement of Facts: The Project implements a protection measure to ensure that fugitive dust emissions from the site are reduced to the maximum extent practicable. This measure restricts Project-related vehicle speeds on all unpaved access roads to 15 miles per hour. With implementation of this protection measure, cumulative impacts would be less than significant and no mitigation is required.

Finding: Changes or alterations have been required in, or incorporated into the Project which reduces this potential impact to a level that is less than significant.

3. Potentially Significant Effect: The Project could combine with existing development in the vicinity to interfere with the movement of native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites if not subject to design features, alterations, or mitigation measures.

Statement of Facts: The Project implements Cumulative Bio Mitigation Measure 1 to reduce potential interference with fish and wildlife. This mitigation requires that constraints to wildlife movement through the Casa Diablo Hot Springs area be evaluated as part of any new development project proposed in the area. Measures shall be included as part of each new development project that would prevent the respective project from becoming a substantial obstacle to wildlife movement through or around the respective proposed development area. With implementation of this mitigation measure, cumulative impacts would be reduced to a less than significant level.

Finding: Changes or alterations have been required in, or incorporated into the Project which reduces this potential impact to a level that is less than significant.

4. Potentially Significant Effect: The Project could combine with existing development in the vicinity to have an adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the

California Department of Fish and Game or U.S. Fish and Wildlife Service if not subject to design features, alterations, or mitigation measures.

Statement of Facts: The storage of water in lined wellfield basins would continue to attract wildlife and has the potential for similar cumulative impacts on wildlife as a result of any wellfield expansion associated with new geothermal development that is not a part of the Project. The existing wellfield could be expanded by the addition of new wells and well sites to provide the additional geothermal fluid needed to support the proposed CD-4 power plant. This impact could be cumulatively significant if future lined well site basins are constructed in a manner that prevents wildlife from escaping from the basins. Cumulative Bio Mitigation Measure 2 is therefore required for County approved projects and should be considered as a requirement by federal agencies as a stipulation for approval of geothermal projects on public land in the vicinity of Casa Diablo Hot Springs. With implementation of this mitigation measure, cumulative impacts would be reduced to a less than significant level.

Finding: Changes or alterations have been required in, or incorporated into the Project which reduces this potential impact to a level that is less than significant.

5. Potentially Significant Effect: The Project could combine with existing development in the vicinity to have an adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service if not subject to design features, alterations, or mitigation measures.

Statement of Facts: MPLP is currently conducting the hydrologic and biological monitoring prescribed by Mono County General Plan, but existing permit requirements for such monitoring only exist under the MP-II and PLES-I project approvals. Should these two projects be abandoned prior to the abandonment of the MP-I Replacement Project, there would be no permit requirement to continue the prescribed monitoring for what could be an extended MP-I project life. Hydro Mitigation Measure 3, would subject the Project to the applicable hydrologic and biologic monitoring and remedial action program requirements set forth in the County General Plan, preventing such a lapse from occurring.

Finding: Changes or alterations have been required in, or incorporated into the Project which reduces this potential impact to a level that is less than significant.

6. Potentially Significant Effect: The Project could combine with existing and/or proposed geothermal development in the vicinity to degrade water quality if not subject to design features, alterations, or mitigation measures.

Statement of Facts: Should the continued geothermal resource production and injection activities from the MP-I Project, in combination with other existing and future geothermal power plant projects in the Hot Creek Buffer Zone, result in changes in the temperature, flow rate or quality of the Hot Creek headsprings used for Hot Creek Fish Hatchery operations, then this could be a potentially significant impact under CEQA. Cumulative Hydro Mitigation Measure 3, which would subject all existing and future geothermal power plant projects in

the Hot Creek Buffer Zone, or in the vicinity of Casa Diablo Hot Springs, to the applicable hydrologic and biologic monitoring and remedial action program requirements set forth in the County General Plan, would reduce this potential impact to a less than significant level.

Finding: Changes or alterations have been required in, or incorporated into the Project which reduces this potential impact to a level that is less than significant.

PART II: FINDINGS RELATIVE TO UNAVOIDABLE SIGNIFICANT ENVIRONMENTAL EFFECTS

No unavoidable significant environmental effects would result from implementation of the Project.

PART III: FINDINGS RELATIVE TO ALTERNATIVES

1. No Project Alternative: If the Project is denied, the existing MP-I power plant would not be replaced by the new technology proposed for the Project, and the more efficient conversion of the available geothermal heat energy to electrical energy afforded by the proposed replacement plant technology and equipment would not be realized. The aging MP-I power plant would be expected to continue to operate as long as repair and restoration of the facility remains economically practical, but the long-term continuing utilization of the MP-I project geothermal resources could be shortened due to eventual equipment failure. The No Project Alternative would not meet most of the basic project objectives. Objectives that would not be met include (a) Applicant's objectives: to *optimize the amount of electrical energy that can be generated from the available geothermal resources*, and to *ensure continuous power generation and maximize utilization of the geothermal resource ...*; and (b) the County goals, policies and objectives: to *permit the productive and beneficial development of alternative energy resources, including geothermal resources*; and to *ensure the orderly and sound economic development of geothermal resources...*

FINDING: The No Project Alternative is infeasible because it is inconsistent with and does not meet project objectives.

2. Alternative Power Plant Location (North Site): The selected North Site Alternative would be on public land administered by the USFS located north of the existing SCE substation and east of the proposed Casa Diablo IV Geothermal Development Project (CD-4) power plant site. It is assumed that the North Site Alternative would be constructed within an approximately 5.7-acre footprint essentially the same as that described for the Project. An approximately 600-foot interconnection transmission line would need to be constructed from the alternative plant site to the existing SCE substation. In addition, new production and injection fluid pipelines would need to be constructed to the North Site Alternative plant site. The new pipelines would be assumed to parallel the pipeline route of the proposed CD-4 Project from the existing MP-I plant site to the North Site Alternative plant site – a distance of about one mile. The construction, MP-I decommissioning, operations, and eventual site reclamation of the North Site Alternative geothermal development would be essentially the same as those activities described for the Project with only minor site-specific adjustments. Approval for development on the North Site Alternative would require NEPA review and approval from federal agencies.

FINDING: The North Site Alternative would result in very similar impacts to those identified for the proposed Project. However, selection of the North Site Alternative plant site would require construction of approximately one mile of new geothermal pipeline corridor resulting in greater impacts on biological resources and more construction related air emissions. The location of the North Site Alternative plant site would be within a Jeffrey Pine forested area and would be susceptible to greater potential wildland fire hazard than the proposed M-1 plant site. This was determined to be a potentially significant impact. The North Site Alternative power plant site would be less visible from major roadways than the proposed Project plant site, but visual impacts were not determined to be significant from either of the plant sites. The proposed Project is considered environmentally superior to the North Site Alternative.

3. Identification of the Environmentally Superior Alternative: The proposed Project, as amended by the conditions and mitigation/protection measures prescribed in the EIR, is the environmentally superior alternative based on the discussion and findings above.

Exhibit B
Variance 12-002
Findings and Rationale

A. Because of special circumstances (other than monetary hardship) applicable to the property, including its size, shape, topography, location, or surroundings, the strict application of the provision of the land use designations or land development regulations deprives such property of privileges (not including the privilege of maintaining a nonconforming use or status) enjoyed by other property in the vicinity and in an identical land use designation.

1. Setbacks. The proposed Project includes a request for a variance from two required setbacks; 100 feet from the south line and 500 feet from a surface watercourse. The proposed M-1 replacement plant location was specifically chosen, and the requested variances are needed, to avoid the many geological and geotechnical constraints present in the Project parcel area. As described by Black Eagle Consulting, Inc. (BEC) in its review of the Project, provided by letter dated September 7, 2012, (the “BEC Letter”) the proposed location is necessary to minimize risks to both the plant and its operating personnel.

Specifically, a number of geologic hazards are inherent to the surrounding areas on the parcel. To the north and east of the proposed plant location (away from the south property line) are extremely hot soils as well as active steam vents and associated weak soils. These conditions are hazardous to both the personnel and the plant equipment. Moving the replacement plant north would also greatly increase the size of the cut slope and raises the plant elevation so that both would be more visible from Highway 395.

Moving the site to the south would only cause the plant to be closer to the property line and would place critical structures on highly compressible soils, unsuitable for conventional foundation support or even placement of the necessary fill. Moving the site to the west (including its current location) would bring it even closer to the intermittent stream as well as an active, unnamed fault located about 0.1 miles to the west of the western boundary of the proposed M-1 replacement site. There are active steam vents associated with this fault that must be avoided.

Other properties within the Hot Creek Buffer Zone are currently developed with geothermal facilities (as described in section 5.1.1 and figure 38 of the RDEIR) or proposed for future development and thus enjoy the privileges of such use. Because those properties are not subject to the same geological and geophysical constraints, such uses are conforming.

2. Aboveground transmission line. As noted in the RDEIR and the BEC Letter, much of the Project site consists of geothermal soils having elevated temperatures. Generally, underground transmission lines require properly designed thermal backfill to reduce heat buildup and consequent loss of electrical conductivity or even melting of the conduit. However, such heat buildup in an underground transmission line crossing warm or hot areas in the soil cannot be mitigated with thermal backfill and a variance to place the transmission line above ground is necessary and does not constitute a special privilege. (See BAC Letter, September 7, 2012).

B. The grant of variance will not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and in the land use designation in which the property is situated.

1. Setbacks. As illustrated in the BEC letter and in FEIR Drawing 1, development of the Project site is highly constrained as a result of steep slopes, fault zones, and geothermal soils/fumaroles. It is also bisected by an intermittent surface watercourse. The combination of these conditions is unique to the Project site, and other parcels designated RE and/or within the Hot Creek Buffer Zone are not similarly limited. In fact, several are already developed with geothermal facilities or proposed for such development. (See FEIR Figure 1 and RDEIR sections 5.1.1 and 5.1.2.)

The only other private parcel within the Casa Diablo portion of the Hot Creek Buffer Zone, owned by LADWP, consists of 194 acres. The LADWP parcel has ample area available for geothermal development such as that proposed on the Project site (see FEIR Drawing 1). Accordingly, the grant of a variance for the proposed Project would not constitute a special privilege inconsistent with the limitations on other nearby or similarly-situated properties but instead, would put it on par with such properties.

2. Aboveground transmission line. Mono County Land Development Regulations authorize the placement of distribution facilities such as the proposed pipeline underground without discretionary approval by the County. (See Mono County General Plan, Section 11.010(B).) Those regulations provide for aboveground placement pursuant to director review permit or use permit if any one of four findings can be made. (See Mono County General Plan, Section 11.010(D).) Alternatively, a variance may be granted to allow aboveground use where the conditions justifying a variance exist. (See Mono County General Plan Chapter 33). The proposed aboveground pipeline is capable of being approved pursuant to either procedure, as either of the required findings may be made. Specifically, under Section 11.010(D)(1), the pipeline will not significantly disrupt the character of the area (See RDEIR sections 2.1.3 and 4.2.3 concluding that there will not be a significant visual impact associated with the Project or the aboveground pipeline; see also the discussion of the existing environment, indicating the presence of other above ground transmission lines and geothermal infrastructure in the vicinity.) Likewise, the finding for aboveground placement under Section 11.010(D)(2) may be made since aboveground placement would decrease the line's exposure to environmental hazards (i.e., heated soils) thus making it environmentally superior to undergrounding. (See BEC Letter.) Other private properties in the area meeting these (or the other listed) criteria are also to obtain approval for aboveground utilities pursuant to Section 11.010.

Accordingly, the grant of a variance would not constitute a special privilege inconsistent with limitations imposed on other properties.

C. The grant of variance will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is situated.

1. Setbacks. A number of geologic hazards are inherent to the surrounding proposed M-1 site location. The proposed location of the M-1 replacement plant would actually lessen any exposure to hazardous conditions and would minimize risks to both the plant and its operating personnel. (See BEC Letter.) The adjoining property consists of thousands of acres of undeveloped land owned by the USFS. The only other nearby development

consists of similar geothermal operations. Accordingly, a minor variation from the property line setback would have no impact on improvements or property.

And Project design features and required mitigation measures, including installation of a subsurface retention basin at the M-1 plant site, implementation of erosion control/stormwater construction best management practices (BMPs) and post-construction BMPs, will reduce and avoid the possibility of hydrologic impacts to the intermittent stream on the site as discussed in section 4.8.3 of the EIR. Finally, the Project involves no expansion in water use or use of the geothermal resources. As such, there is no impact to water quantity.

2. Aboveground transmission line. The Project includes two proposals for the interconnection transmission line, both of which were analyzed in the EIR. The RDEIR analysis concludes that there will not be a significant visual impact associated with the Project or the aboveground pipeline. (See sections 2.1.3 and 4.2.3; see also the discussion of the existing environment on page 2 of the RDEIR, which describes the presence of other above ground transmission lines and geothermal infrastructure in the vicinity.) Because either option would be located near ground level (either within an existing pipe rack or on its own T-bar supports and suspended approximately 2-3 feet above ground level) as opposed to overhead, visual impacts associated with either option would be virtually non-existent. There would be no new overhead transmission line poles associated with either of the interconnection transmission line options. Indeed, placement of the transmission line underground presents a risk to the lines and to operation if such lines fail.

D. The grant of variance will not be in conflict with established map and text of the general and specific plans and policies of the County.

1. Setbacks. As discussed in section 4.10.3 of the EIR, the 500-foot surface watercourse and 100-foot exterior property line setbacks are subject to variance in accordance with Chapter 33 of the General Plan. The Project requires a variance from the 500-foot setback because, while it would be further from the same watercourse than the existing plant, the replacement plant would still be partially within that setback. The granting of such a variance is not inconsistent with the text or maps of the General Plan, including but not limited to, the Energy Resources section of the Conservation and Open Space Element (Goal 1, Objective D, Policy 1, Action 1.13). That section lists the 500-foot setback as an “action” to further the policy of protecting hydrologic resources. The reference is not intended to prohibit the granting of an otherwise authorized setback variance where no hydrologic impacts would result, and does not “re-impose” the setback requirement already imposed. Setbacks are classing development standards which may be adjusted through variance procedures where necessary due to site-specific constraints. Finally, the Project is designed, and is subject to mitigation measures, which avoid or minimize potential impacts to hydrologic resources by preventing fluids from reaching adjacent waterways and limiting geothermal extraction to existing levels, as discussed above and in section 4.8.3 of the EIR. The proposed variance is consistent with the map and text of the General Plan as currently written and as proposed to be clarified by GPA 12-003(b).

The variance from the 100-foot property line setback is also authorized in accordance with Chapter 33 of the General Plan and would not be in conflict with any program, policy, goal, or objective of the General Plan.

2. Aboveground transmission line. See discussion under finding B.2 above, which is incorporated by this reference.

Exhibit C
Use Permit 12-004
Findings and Rationale

I. USE PERMIT

- A. All applicable provisions of the Land Use Designations and Land Development Regulations are complied with, and the site of the proposed use is adequate in size and shape to accommodate the use and to accommodate all yards, walls and fences, parking, loading, landscaping and other required features.**

The existing MP-1 plant site decommissioning activities and the conversion of a portion of the site to a storage area, proposed as part of the Project, would be conducted on private land with a land use designation (LUD) of Resource Management (RM). The RM designation is intended “to recognize and maintain a wide variety of values in the lands outside existing communities,” including “geothermal or mineral resources.” “Mining and geothermal exploratory projects” are explicitly “uses permitted subject to use permit” and other “similar” uses may also be permitted.

The RM designation provides for a minimum parcel size of 40 acres, limits site disturbance to 10% (with a maximum lot coverage of 5%), and provides for maximum population density of 5.02 persons per 40 acres. The RM parcel consists of approximately 40 acres of privately-owned land, of which approximately 2.6 acres is presently disturbed (approximately 6.6%). This level of disturbance is pre-existing and would not be increased by the Project. The ultimate decommissioning, reclamation and restoration of this site required by the Reclamation Plan is consistent with Resource Management intent of the designation to provide for low intensity rural uses that recognize and maintain the resource value of the parcel and would eliminate site disturbance. There would be no residential use of the property.

The proposed new M-1 plant site would be located on the adjacent 50-acre parcel, which is designated as Resource Extraction (RE). The RE designation “is intended to provide for protection of the environment and resource extraction activities . . . and for processing plants utilizing on-site materials or materials found in close proximity to the site.” “Exploring, drilling, and development of geothermal resources” are explicitly “uses permitted subject use permit” and other “similar” uses may also be permitted uses. The M-1 replacement plant site construction and Project operations would be conducted entirely on private land with a LUD of RE.

The RE designation provides for a minimum parcel size of 40 acres, prohibits residential uses (other than for an employee/caretaker) and references the setbacks established by section 15.070 for resource development (100 feet from interior public streets or from a property line, 500 feet from any adjacent private dwelling, institution, school, or other building or location used for public assemblage, and, for geothermal development within the Hot Creek Buffer Zone, 500 feet from a surface watercourse). The Land Use Designations and Land Development Regulations function as the County’s zoning requirements and are subject to variance pursuant to Chapter 33 of the Mono County General Plan and State law.

All project activities would occur more than 100 feet from any internal street and more than 500 feet from adjacent uses for public assemblage. The nearest dwelling, institution, or school is located within the Town of Mammoth Lakes approximately two miles to the west of the project site. A public parking area located just to the east of US 395 and the Mammoth Lakes exit is greater than 500 feet from the project property line (Figure 19, Revised DEIR, February 2012). The project includes a request for a variance which would authorize a portion of the facility to be located within 100 feet of an external property line and within 500 feet of a surface watercourse. Such variances are authorized by Chapter 33 of the Land

Development Regulations and if granted consistent with those requirements, all provisions of the Land Use Designations and Land Development Regulations would be complied with.

As described more fully in section 4.2.2 of the EIR, the Project meets applicable standards of the Land Development Regulations related to visual impacts. An Outdoor Lighting Plan has been provided for the Project site which meets the requirements of Chapter 23 of the General Plan, the County's "Dark Sky Regulations," to mitigate nighttime visibility of the facilities. In addition, a Landscape Plan has been submitted which provides additional visual screening of the Project site. Use Permit conditions require compliance with these plans. All buildings, insulation jacketing, and visible structures would be painted to blend with the existing environment in order to minimize the visual impacts in the area and approximately six-foot-high fences would be constructed around the M-1 plant site and the M-1 plant substation to provide additional screening. Site disturbance is limited and a Reclamation Plan which meets the requirements of Chapter 26 of the General Plan and will reduce and restore site disturbance has been submitted. Compliance with the Reclamation Plan is a condition of project approval. Accordingly, the Project also meets applicable standards set forth in Section 08.010 through 08.060 Scenic Combining District and State Scenic Highway.

Section 4.110 of the Land Development Regulations provides for a maximum building height of 35 feet, but allows for greater heights to be approved through the Director Review process or Use Permit process. The project involves approval, through the Use Permit process, of mechanical appurtenances which exceed 35 feet in height. (See additional discussion below in sections II.A and II.B.)

Chapter 11 of the Land Development Regulations provides for the undergrounding of utilities, unless overhead placement is approved by Director Review permit, Use Permit, or variance. The Conservation and Open Space Element, Visual Resources, Objective C, Policy 3, Actions 3.1 through 3.8 reference these requirements. The project proposes two possible locations for an aboveground interconnection transmission line, and the applicant has applied for a variance to allow for aboveground installation.

The Project is in compliance with all other applicable provisions of the Land Use Designations and the Land Development Regulations of the Mono County General Plan.

Further, the site is adequate in size and shape to accommodate the use, and to accommodate all yards, walls, and fences, parking, loading, landscaping and other required uses. The site consists of 90 acres of privately-owned land bordered on all sides by publicly-owned land managed primarily for open space.

B. The site for the proposed use relates to streets and highways adequate in width and type to carry the quantity and kind of traffic generated by the proposed use.

As described in the EIR (see, e.g., sections 2.1.2, 2.1.6, and 3.3.8) the land uses at the project site would remain the same as under existing conditions. No additional employees would be added as a result of the plant replacement and, thus, no additional long-term vehicle traffic to or from the project site would be created and no long-term impact to the existing roadway circulation system in the area would result.

Short-term construction traffic would increase in the immediate vicinity of the site, although the traffic volumes expected to be associated with Project construction would be light and existing volume-to-capacity ratios at the U.S. Highway 395/SR 203 interchange are sufficient to accommodate this small temporary increase.

The existing entrances to the Casa Diablo geothermal development complex would continue to provide adequate access to the new M-1 plant site. North and south U.S. Highway 395 off ramps onto State Route

203 are located less than one-quarter mile southwest of the Project site. Access to the Project site would be via State Route 203 east to Antelope Springs Road, then north to Cutoff Road, then east to the existing paved access to the replacement plant site off of the Old Highway Road. Substation Road and Old Highway Road would be used as emergency access roads that lead to a locked gate which can be opened by emergency responders and is sufficient to support emergency vehicles, in accordance with the County's Fire Safe Regulations (Chapter 22 of the Land Development Regulations).

A new paved access road would be constructed from the onsite access road to the lower pad on which the M-1 plant would be constructed. Paved access roads would also be constructed along the north, south and west sides of the new M-1 plant site, which are specifically designed in width and type to carry the quantity and kind of traffic associated with the project.

C. The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located.

The EIR for the Project has identified no significant impacts resulting from the proposed Project. The proposed use is the same as currently exists on the site, with the exception that a new, more modern facility would replace the existing M-1 plant. The new facility includes design features (including, but not limited to a landscaping plan, dark sky compliant lighting, and screening) not currently applicable to the existing facility. Without expanding the use of the geothermal resource or in any way increasing impacts to that resource, the proposed facility would increase the amount of geothermal energy generated on the site and reduce associated impacts. (See EIR Project Description).

The M-1 site is situated in an area where property and improvements are committed to similar compatible uses, including existing operating geothermal plants and well fields, the existing MP-1 plant proposed for decommissioning, and an SCE substation. The proposed use has been sited to minimize visual impacts from the State Scenic Highway, and when the existing plant is decommissioned, will have less of a detrimental visual presence than exists currently. (See EIR section 4.2.3.)

In addition, the proposed Project incorporates design features which will protect the public and property from the risks of fire, contamination, and other hazards. Specifically, the M-1 replacement power plant site would be designed and constructed to prevent fluids from leaving the site and endangering adjacent properties or nearby waterways. Numerous engineering, fire-control and safety measures are integrated as part of the Project to prevent releases of n-pentane, to avert or control fires, and to respond to other emergencies. (See e.g., EIR section 2.1.6.)

A diesel-powered emergency generator would be installed on the M-1 plant site to provide emergency backup power to critical plan functions in the event of a power outage. Similarly, a diesel-powered firewater pump generator would be installed to provide power to the firewater pump during fire emergencies.

In addition, MPLP has developed an integrated program to meet the following requirements, (see EIR section 2.1.6): California Accidental Release Prevention (CalARP) Program; EPA Risk Management Plan (RMP); OSHA Process Safety Management (PSM) Program for all three existing plants. Prior to delivery of n-pentane, MPLP would revise and update this program to reflect the new M-1 plant; Revise its existing Spill Prevention, Control and Countermeasure (SPCC) Plan, in conformance with 40 CFR 112, to include the new M-1 plant; Update its Emergency Response Plan (ERP); Update its Hazardous Materials Business Plan (HMBP); A Permit for Authority to Construct and Permit to Operate would be obtained from the GBUAPCD

There would be at least one employee “on call” at all times familiar with the ERP and would have the authority to commit the resources needed to carry out the contingency plan.

D. The proposed use is consistent with the map and text of this General Plan and any applicable area plan.

For a thorough discussion regarding the Project’s consistency with the General Plan see the analysis contained throughout the EIR, and particularly sections 4.10.2 and 4.10.3. The following summarizes the Project’s consistency with applicable maps, policies, land uses, and programs contained in the General Plan.

The Project is consistent with General Plan maps designating the site for Resource Management (RM) and Resource Extraction (RE). The RE designation (where the replacement plant would be located) “is intended to provide for protection of the environment and resource extraction activities.” “Exploration, drilling, and development of geothermal resources” are explicitly “uses permitted subject to use permit and other “similar uses may also be permitted.” The RM designation (where the existing plant is located) is intended to “recognize and maintain a wide variety of values in the lands outside existing communities,” including “geothermal or mineral resources.” “Mining and geothermal exploratory projects” are explicitly “uses permitted subject to use permit” and other “similar” uses may be permitted.

The Project is consistent with the objectives, policies, general land uses, and programs of the Mono County General Plan. General Plan goals encourage the productive and beneficial development of alternative energy, including geothermal resources, in manner which avoids or minimizes environmental impacts. The EIR concludes that there will be no significant environmental impacts as a result of the proposed Project. General Plan policies allow consideration of national need for alternative energy and require the applicant to demonstrate the economic benefits of the Project. (See Conservation and Open Space Element – Energy Resources.) The economic analysis of the Project describes those benefits.

Objectives C and D of Goal 1 of the Energy Resources portion of the Conservation and Open Space Element establish procedures and direction for addressing biologic and associated hydrologic impact mitigation and monitoring requirements from geothermal exploration and development. Consistent with these policies, a baseline biological resource survey was conducted (Paulus 2011) and is provided as Appendix D of the EIR. The recommended measures and project design features of this report have been incorporated and are a part of the Project.

The EIR concludes that there would be no significant impacts to visual resources as a result of the Project and that current visual impacts associated with the MP-1 facility would be reduced by the Project. Additionally, the Project would be consistent with all applicable General Plan Policies pertaining to Aesthetics/Visual Resources, provided that a variance is granted to allow transmission lines to be placed at ground level as opposed to underground.

- Aboveground utility lines. Objective C, Policy 3, Actions 3.1-3.8 Conservation/Open Space Element (Visual Resources) provides for underground installation of utility lines in conformity with County Requirements. Chapter 11 of the Land Use Regulations provides for underground installation unless approved through Use Permit or Director Review in certain specified circumstances. Actions 3.1-3.8 also allow for aboveground installation pursuant to a variance. The Project is consistent with this policy if the requested variance is granted. Additionally, the transmission lines would be eligible for an exception to the underground requirement pursuant to Chapter 11, as described in Exhibit B, section B.2.

- Mechanical appurtenances/building height. (Land Use Element – Development Standards): The Project proposes to install two-inch diameter vent pipes and one-inch diameter lightning masts on top of the air cooling towers which would extend up to approximately 40 feet above ground level, exceeding the permitted height of 35 feet. However, Mono County regulations allow for exceptions to be granted by the Planning Director in the cases of mechanical appurtenances or, for building heights in excess of 35 feet, through the Use Permit process. The purge tank vent pipes and lightning qualify as “mechanical appurtenances” and would thus meet the criteria for exception to be granted by the Planning Director, or by the more stringent Use Permit process. (See sections II.A and B below.)

The Project would be consistent with relevant General Plan Policies in the Conservation/Open Space Element pertaining to Air Quality as discussed on page 30 of the RDEIR2.

The Project would be consistent with relevant General Plan Policies in the Conservation/Open Space Element pertaining to Biological Resources as discussed on pages 30-32 of the RDEIR2 and section 4.4 of the RDEIR, as revised. For example, current biologic and hydrologic monitoring will continue and will also be applied to the M-1 plant; baseline studies have been prepared to document existing conditions on the Project site and mitigation measures and design features are imposed to minimize potential impacts based on those studies and recommendations.

The Project would also be consistent with relevant General Plan Policies (shown in Table 25 of the RDEIR) in the Conservation/Open Space Element pertaining to hydrology and water quality as described on pp. 30 – 36 of the RDEIR2. The Project includes design features and is subject to mitigation measures which avoid or minimize potential impacts to hydrologic resources to a level that is less than significant through, among other things, installation of a subsurface retention basin at the M-1 plant site, implementation of erosion control/stormwater construction best management practices (BMPs) and post-construction BMPs, as discussed in the EIR. (See e.g., section 4.8.3). The Project involves no additional use or extraction of water from the geothermal resource and therefore has no impact to water quality.

- Setbacks from surface watercourse. As discussed previously, Section 15.070(B)(1)(d) of the County’s Land Use Regulations imposes a 500-foot setback from surface watercourses for geothermal development within the Hot Creek Buffer Zone. Chapter 33 of the General Plan authorizes the granting of variances from any Land Development Regulation or LUD if certain conditions exist. The project requires a variance from this setback because, while it would be further from the same watercourse than the existing plant, the replacement plant would still be partially within that setback. The Energy Resources section of the Conservation and Open Space Element (Goal 1, Objective D, Policy 1, Action 1.13) lists the 500-foot setback as an “action” to protect hydrologic resources. That reference is not intended to prohibit the granting of an otherwise authorized variance and does not “re-impose” the setback requirement already imposed. If a variance is granted in accordance with Chapter 33, then the Project is consistent with the General Plan, both as currently written and with the clarifications to the General Plan included proposed by GPA 12-003(b).

The Project would be consistent with relevant General Plan Policies in the Safety Element pertaining to fire hazards as discussed on page 32 of the RDEIR2 and in section 4.7 of the RDEIR. For example, the Project would not create a significant risk from wildland or structural fire; the Project will obtain a will-serve letter from the Long Valley Fire Protection District and will implement Project HazMat Design Feature 4, which would extend the existing fire suppression and response program in place at the Casa

Diablo Geothermal Complex to cover the proposed Project. Appendix A to the RDEIR presents a list of measures that the Project would adopt in order to reduce the risk of wildland and/or structural fire. These measures include compliance with applicable requirements in the Fire Safe Ordinance and Uniform Fire Code; and the Notice of Preparation for the Draft EIR was sent to the Department of Forestry and the Long Valley Fire Protection District was consulted in the preparation of the RDEIR.

The Project would be consistent with relevant General Plan Policies in the Hazardous Waste Management Element pertaining to hazardous materials. The Project includes several design features, presented as HazMat Design Features 1 through 5 in the RDEIR.

For analysis of Project consistency with relevant General Plan Policies in the Noise Element pertaining to noise, see Section 4.9 of the RDEIR. As discussed therein, the Project, including Noise Design Features 1 through 3, would be consistent with all applicable General Plan Policies pertaining to noise.

II. MECHANICAL APPURTENANCES/BUILDING HEIGHT EXCEPTION

A. The project will not result in substantial detrimental effects on the enjoyment and use of surrounding properties.

Several mechanical appurtenances (two purge tanks, of about 36 inches in length and 24 inches in diameter, a two-inch diameter pipe, and a one-inch diameter lightning mast/rod) would extend up to approximately 40 feet in height. These mechanical appurtenances are part of the CUP application and are evaluated on pp 4-2 – 4-35 of the RDEIR. As described in the EIR, these appurtenances would be nearly completely obscured by vegetation and the super-structure of the main plant and would be colored to be blend with the existing background. The analysis shown in the EIR demonstrates the project would preserve scenic vistas and would not have any impact on surrounding properties.

B. The modified height will not exceed the lifesaving equipment capabilities of the fire protection agency having jurisdiction.

The mechanical appurtenances are lightning rods and pipes – and will not be occupied. The Long Valley Fire Department was consulted in the preparation of the EIR and it was determined the height exception does not exceed the lifesaving capabilities of the protection agency. The Project is required to obtain a will-serve letter from the Long Valley Fire Protection District and will also implement Project HazMat Design Feature 4, which would extend the existing fire suppression and response program in place at the Casa Diablo Geothermal Complex to cover the proposed Project.

Exhibit D
Reclamation Plan 12-001
Findings and Rationale

A. The reclamation plan complies with the provisions of CEQA.

The Reclamation Plan is a component of the Mammoth Pacific Replacement Project. A Final Environmental Impact Report has been prepared for the Project. (SCH # 2011022020) and certified by the Planning Commission prior to adoption of the EIR.

B. The reclamation plan is consistent with the objectives and policies set forth in this General Plan and any applicable area or specific plans.

The project is consistent with the objectives and policies of the General Plan. The Land Use Element, Mammoth Vicinity Policies Objective C, Policy 4 & Action 4.1 provides:

Policy 4: Regulate geothermal and mining and reclamation activities in the Mammoth vicinity in a manner that retains the scenic, recreational, and environmental integrity of the Mammoth vicinity.

The Mammoth Pacific Reclamation Plan requires removal of the MP-1 plant, and removal of the MP-2 plant once these facilities are decommissioned. The proposed M-1 plant would also be removed once the plant is decommissioned in 2045. The offices, maintenance yard, warehouse, roads and wells would be removed once these facilities are no longer needed. Some roads and wells may remain to support geothermal production on USFS property for the PLES plant. The PLES plant is on Inyo National Forest lands and not subject to the reclamation plan.

Removal and site reclamation of the above facilities retains the scenic and environmental integrity of the area.

Action 4.1: All geothermal, mining and reclamation activities shall comply with the policies of the county's Conservation/Open Space Element and the county's Reclamation Ordinance.

The Conservation and Open Space Element of the General Plan, Energy Resources, provides that Geothermal exploration and development projects shall be sited, carried out and maintained by the permit holder in a manner that best protects hydrologic resources and water quality and quantity. Pursuant to that policy, permit conditions assure that required reclamation is completed within one year after a project is completed. The Reclamation plan contains provisions that assure the protection of springs, streams, and fumaroles from erosion, sediment transport, and similar adverse effects. Plan provisions also assure that project sites are restored as closely as reasonably possible to natural conditions, as determined by the MCEDD, in consultation with the Visual Review Committee.

Below is a summary of plant removal cost and timeframes listed in the Reclamation Plan:

	<i>MP-1</i>	<i>MP-2</i>	<i>M-1</i>	<i>Wells</i>
<i>Reclamation start date</i>	<i>2014 or 2015</i>	<i>2045</i>	<i>2045</i>	<i>2045</i>
<i>Cost</i>	<i>\$356,224</i>	<i>\$739,513</i>	<i>\$564,949</i>	<i>\$2,210,719</i>

Project conditions require reclamation activities to be completed within one year of plant removal.

The reclamation plan has erosion control and retention basins for each plant site to protect on-site springs, streams, and fumaroles from erosion, and requires that the site be monitored to assure that project sites are restored as closely as reasonably possible to natural conditions.

- C. **Appropriate conditions have been imposed to ensure and verify that the site during and after reclamation will not cause a public hazard, nor be detrimental to the public health, safety, or welfare.**

The Mammoth Pacific Reclamation Plan requires removal of the power plants and plant infrastructure and restoration of the site to natural conditions as various components of the plant are removed. The project is required to comply with the adopted reclamation plan, which sets forth measures to avoid safety hazards and provide for public health, safety and welfare on the site during and after reclamation.

- D. **An approved end use has been identified and the reclamation of the site shall be finally completed as soon as is feasible, considering the particular circumstances of the site to be reclaimed, and the plan provides for concurrent reclamation, where appropriate and feasible.**

The 90 acre site has an end land use of open space and will be restored to natural site conditions. The reclamation timeframes listed in the Reclamation Plan are:

	MP-1	MP-2	M-1	Wells
Reclamation start date	2014 or 2015	2045	2045	2045

The Plan allows for concurrent reclamation and timing based on when the various plants are decommissioned and various infrastructure is removed.

- E. **The reclamation plan conforms to minimum verifiable performance standards established Chapter 35 and, in the case of surface mining operations, meets or exceeds the minimum, verifiable statewide reclamation standards adopted by the State Mining and Geology Board, and in the case of geothermal well abandonment, conforms to the requirements and guidelines of the California Division of Oil and Gas on non-federal lands, and the Bureau of Land Management on federal lands.**

The Reclamation Plan conforms to the standards as described in Chapter 35, Reclamation Plan, section 35.050 Reclamation Standards. The following summarizes standards and how the project complies with these applicable standards. Not every standard from section 35.05 is listed as some of these standards apply only to projects subject to Surface Mining and Reclamation Act of 1975 (SMARA).

1. Wildlife Habitat.

Wildlife and wildlife habitat shall be protected in accordance with the following standards:

- Rare, threatened or endangered species or species of special concern, and their respective habitat shall be conserved.
No federal- or state-listed threatened or endangered species are known to occupy or frequent the Project area. (Page 2 of Reclamation Plan)
- Wildlife habitat shall be established on disturbed lands in a condition similar to or better than that which existed before the lands were disturbed.
Wildlife habitat will be established on the reclaimed lands in a condition similar to the undisturbed lands surrounding the sites. (Page 3 of Reclamation Plan)
- Wetland habitat shall be avoided.
No wetland habitat on site will be disturbed. (Page 3 of Reclamation Plan)

2. Backfilling, Regrading, Slope Stability, and Recontouring.

Backfilling, regrading, slope stabilization, and recontouring shall conform to the following standards:

- Where backfilling is required for resource conservation purposes (e.g., agriculture, fish and wildlife habitat, and wild land conservation), fill material shall be backfilled to the standards required for the resource conservation use involved.
Project-affected areas of surface disturbance will be re-contoured as necessary to blend with the surrounding topography. (Page 4 of Reclamation Plan)
- Final reclaimed fill slopes, including permanent piles or dumps of mine waste rock and overburden, shall not exceed 2:1 (horizontal:vertical), except where site-specific geologic and engineering analyses

demonstrate that the proposed final slope will have a minimum slope stability factor of safety that is suitable for the approved end use, and when the proposed final slope can be successfully revegetated.

Final reclaimed fill slopes will not exceed 2:1 (horizontal:vertical), except where site-specific geologic and engineering analyses demonstrate that the proposed final slope will have a minimum slope stability factor of safety that is suitable for the approved end use and when the proposed final slope can be successfully re-vegetated. A site reclamation plan for MP-1 plan is provided on Plates 1a, 1b, and 1c, attached in Appendix A. A site reclamation plan for the MP-2 plant site is provided on Plates 2a and 2b, attached in Appendix A. A site reclamation plan for the M-1 plant site is provided on Plates 3a and 3b, attached in Appendix A. (Page 4 of Reclamation Plan)

- At closure, all fill slopes, including permanent piles or dumps of mine waste and overburden, shall conform to the surrounding topography and/or approved end use.
The reclamation plan requires that project-affected areas of surface disturbance will be re-contoured as necessary to blend with the surrounding topography

3. Revegetation.

Revegetation shall be part of the approved plan, unless it is not consistent with the approved end use.

- A vegetative cover suitable for the approved end use and capable of self-regeneration without continued dependence on irrigation, soil amendments or fertilizer shall be established on disturbed lands. The vegetative density, cover and species-richness of naturally occurring habitats shall be documented in baseline studies carried out prior to the initiation of resource development activities.
At least 3 shrubs and 8 perennial native grasses and/or forbs per 4 square meters would be established on site. Perennial grasses would account for at least 10% of the relative cover. (Page 5 of Reclamation Plan)
- Test plots conducted simultaneously with resource development activities shall be required to determine the most appropriate planting procedures to be followed to ensure successful implementation of the proposed revegetation plan. The County may waive the requirement to conduct test plots when the success of the proposed revegetation plan can be documented from experience with similar species and conditions or by relying on competent professional advice based on experience with the species to be planted.
The reclamation of the MP-1 (Plate 1B) site will serve as the test plot for both the seed mix and success of vegetative cover stated above.
- Where resource development activities result in compaction of the soil, ripping, disking, or other means shall be used in areas to be revegetated to eliminate compaction and to establish a suitable root zone in preparation for planting.
Approved methods in use already include the design and construction of stable slopes, minor re-grading, ripping or sub-soiling to de-compact and loosen compacted soil, topsoiling, surface preparation through fine grading, reseeding and re-vegetation (or natural re-vegetation). (Page 4 of Reclamation Plan)
- Prior to closure, all access roads, haul roads, and other traffic routes to be reclaimed shall be stripped of any remaining road base materials, prepared in accordance with section g below, covered with suitable growth media or topsoil, and revegetated.
Plate B in Appendix A of the Reclamation Plan shows which roads and travel routes will be removed at final reclamation, which will include coverage with suitable growth media and revegetation.
- Indigenous plant species shall be used for revegetation, except when introduced species are necessary to meet the end uses specified in the approved reclamation plan.
The seed mix for revegetation is listed on page 4 of the Mammoth Pacific Reclamation Plan. Preferably, seeds for this project would be collected within the immediate vicinity of the project area. If this is not possible due to poor seed availability, seed from the Eastern Slopes Subsection of the Sierra Nevada Section and Mono Section would be acceptable.
- Planting shall be conducted during the most favorable period of the year for plant establishment.

The Reclamation Plan includes requirements to reseed applicable areas in the fall in order to take advantage of beneficial winter moisture.

- Weeds as defined by the Soil Conservation Service, or the county Agricultural Commissioner, or the California Native Plant Society, shall be managed: 1) when they threaten the success of the proposed revegetation; and 2) to prevent spreading to nearby areas; and 3) to eliminate fire hazard.

The Reclamation Plan includes weed management measures, including a standard that all non-native weed species that are already present in the area would account for no more than 5% total of the relative cover at the end of the 2 year evaluation period.

- Success of revegetation shall be judged based upon the effectiveness of the vegetation for the approved end use, and by comparing the quantified measures of vegetative cover, density, and species-richness of the reclaimed lands to similar parameters of naturally occurring vegetation in the area. Either baseline data or data from nearby reference areas may be used as the standard for comparison. Quantitative standards for success and the location(s) of the reference area(s) shall be set forth in the approved reclamation plan. Comparisons shall be made until performance standards are met provided that, during the last two years, there has been no human intervention, including for example, irrigation, fertilization, or weeding. Standards for success shall be based on expected local recovery rates. Valid sampling techniques for measuring success shall be specified in the approved reclamation plan. Sample sizes must be sufficient to produce at least an 80% confidence level.

At least 3 shrubs and 8 perennial native grasses and/or forbs per 4 square meters would be established on site. Perennial grasses would account for at least 10% of the relative cover. Failure to meet the success standards would require additional planting and/or weed control, as appropriate, until standards are met. (Page 5 of Reclamation Plan)

4. Drainage, Diversion Structures, Waterways, and Erosion Control.

- Reclamation activities shall be conducted to protect on-site and downstream beneficial uses of water.
Surface runoff and drainage will be controlled by silt fencing or a straw wattle until the interim gravel surface for MP-1 has been placed on the pad and/or the new vegetation has been developed to a point of controlling erosion for all sites during final reclamation. There are no perennial streams or other surface waters located within the Project area that will be impacted by operations or reclamation. A “blue line” stream is identified adjacent to the sites along the northerly boundary on the U.S. Geological Survey (USGS) topographic map (“Old Mammoth” quadrangle, 1:24000 series). The blueline stream is an ephemeral/intermittent identified as a stream “riparian conservation area” (RCA) by the USFS under the SNFPA ROD (USDA, Forest Service 2004). Project activities and reclamation avoid impacts to this intermittent stream.
- The quality of water, recharge potential, and storage capacity of groundwater aquifers shall not be diminished, except as allowed in the approved reclamation plan.
*Retention basins have been designed for each site, based on the Lahontan Regional Water Quality Control Board’s Water Quality Plan for the Mammoth Creek Basin to contain the runoff volume generated from a 20 year intensity storm with a one hour duration, which is assumed to be 1 inch (0.83 feet) * Area (square feet) * C (infiltration coefficient). Retention basin sizing calculations are included in Appendix B.*
- Erosion and sedimentation shall be controlled during all phases of construction, operation, reclamation, and closure of an operation to minimize siltation of lakes and watercourses, as required by the Regional Water Quality Control Board, the State Water Resources Control Board, and the Mono County Grading Ordinance.
See above reference to Appendix B and the project is required to comply with the Mono County Grading Ordinance and an approved grading plan.
- Surface runoff and drainage shall be controlled by berms, silt fences, sediment ponds, revegetation, hay bales, or other erosion control measures, to ensure that surrounding land and water resources are protected from erosion, gullyng, sedimentation, and contamination. Erosion control methods shall be designed to handle runoff from not less than the 20-year/1-hour intensity storm event.

See above reference to Appendix B and the project is required to comply with the Mono County Grading Ordinance and an approved grading plan.

5. Prime Agricultural Land Reclamation and Other Agricultural Land

The project site does not contain prime or other agricultural lands.

6. Building, Structure and Equipment Removal.

- All equipment, supplies, and other materials shall be stored in designated areas (as shown in the approved reclamation plan). All waste shall be disposed of in accordance with state and local health and safety ordinances.

Once the MP-1 plant is decommissioned and removed, the MP-1 site will be used for interim storage for ongoing operations at the site. See Plate 1B. Plates 1a, 2a, and 3a in the reclamation plan show the existing sites and identify the various facilities to be removed.

- All buildings, structures, and equipment shall be dismantled and removed prior to final site closure except those buildings, structures, and equipment approved in the reclamation plan as necessary for the end use.

Plates 1a, 2a, and 3a in the reclamation plan show the existing sites and identify the various facilities to be removed.

7. Stream Protection, Including Surface and Groundwater.

- Surface and groundwater shall be protected from siltation and pollutants that may diminish water quality as required by the Federal Clean Water Act, sections 301 et seq. (33 U.S.C. section 1311), 404 et seq. (33 U.S.C. section 1344), the Porter-Cologne Act, section 13000 et seq., the county Grading Ordinance, the Regional Water Quality Control Board or the State Water Resources Control Board.

Stable topographic surface and drainage conditions will be established to control erosion, prevent sedimentation, blend with the surrounding landscape, and to protect on-site and downstream sites. Plates 1B, 2B, and 3B show interim reclamation site storm water pollution prevention plans. The project is also subject to requirements of a Mono County grading permit.

8. Topsoil Salvage, Maintenance and Redistribution.

When the approved reclamation plan calls for revegetation or cultivation of disturbed lands, the following performance standards shall apply to topsoil salvage, maintenance, and redistribution activities:

- All salvageable topsoil suitable for revegetation shall be removed as a separate layer from areas to be disturbed. Topsoil and vegetation removal shall not precede development activities by more than one year, unless a longer time period is approved by the County.

Topsoil was not stockpiled when MP-1 and MP-2 sites were graded. Therefore, the resulting surficial soils after grading will be analyzed to determine the presence or absence of elements essential for plant growth and to determine those soluble elements that may be toxic to plants, if the soil has been chemically altered or if the growth media consists of other than the native topsoil. Topsoil and suitable amended surficial soils will be planted with a vegetative cover or will be protected by other equally effective measures to prevent water and wind erosion and to discourage weeds. Topsoil will stockpiled for the M-1 site reclamation will be spread over the site in a minimum thickness of 3 inches. One of the exhibits for the M-1 site will be amended to show the topsoil storage area. (Page 7 of the Reclamation Plan)

- Topsoil resources shall be mapped prior to stripping and the location of topsoil stockpiles shall be shown on a map in the reclamation plan. If the amount of topsoil needed to cover all surfaces to be revegetated is not available on-site, other suitable material capable of sustaining vegetation (such as subsoil) shall be removed as a separate layer for use as a suitable growth media. Topsoil and suitable growth media shall be maintained in separate stockpiles. Test plots may be required to determine the suitability of growth media for revegetation purposes.

See discussion directly above.

- Soil salvage operations and phases of reclamation shall be carried out in accordance with the schedule that: 1) is set forth in the approved Reclamation Plan; 2) minimizes the area disturbed; and 3) is designed to achieve maximum revegetation success allowable under the plan.

Soil salvage is limited for the MP-1 and MP-2 sites as stated above. The topsoil stockpile area for the M-1 site will be shown on a map to be included in the reclamation plan. The reclamation timeframes listed in the Reclamation Plan for the various plants are:

	MP-1	MP-2	M-1	Wells
Reclamation start date	2014 or 2015	2045	2045	2045

- Topsoil and suitable growth media shall be used to phase reclamation as soon as can be accommodated by the operations schedule presented in the approved reclamation plan. Topsoil and suitable growth media that cannot be utilized immediately for reclamation shall be stockpiled in an area where it will not be disturbed until needed for reclamation.

Topsoil will stockpiled for the M-1 site reclamation. One of the exhibits for the M-1 site will be amended to show the topsoil storage area.

- Topsoil and suitable growth media shall be redistributed in a manner that results in a stable, uniform thickness consistent with the approved end use, site configuration, and drainage patterns.

Topsoil will stockpiled for the M-1 site reclamation will be spread over the site in a minimum thickness of 3 inches. One of the exhibits for the M-1 site will be amended to show the topsoil storage area.

9. Tailing and Waste Management

There are not Tailings and/or Waste Management standards that are required for this project.

10. Closure of Surface Openings

- All geothermal wells shall be completed or abandoned in accordance with the California Division of Oil and Gas

The Reclamation Plan requires that all geothermal wells scheduled for reclamation be abandoned in accordance with the requirements of the California Division of Oil and Gas.

F. The estimated cost of the reclamation reasonably approximates the probable cost of performing the reclamation work as proposed in the plan and adequate surety (consistent with applicable provisions of SMARA for surface mining operations) will be posted to ensure completion of the required reclamation.

The Reclamation Plan contains cost estimates for all three plants located on the project site. A summary of timing and reclamation costs are:

	MP-1	MP-2	M-1	Wells
Reclamation start date	2014 or 2015	2045	2045	2045
Cost	\$356,224	\$739,513	\$564,949	\$2,210,719

See Appendix C Cost Estimates for additional details. The Reclamation Plan requires that adequate surety be provided.

G. The person or entity responsible for reclamation plan compliance has a public liability insurance policy in force for the duration of the reclamation which provides for personal injury and property protection in an amount adequate to compensate all persons injured or for property damaged as a result of the proposed reclamation activities.

The reclamation plan requires that Ormat provide to Mono County Risk Management or Mono County Economic Development Department the required public liability insurance policy for review and approval.

Exhibit E
Clarifying General Plan Amendment 12-003(b)
Findings and Rationale

A. The proposed change to the text of the Land Development Regulations of the General Plan is consistent with the General Plan and any applicable area plan.

The proposed change to section 15.070 of the Land Development Regulations is merely clarifying of existing regulations and General Plan provisions. Chapter 33 currently provides that a variance may be granted from a Land Development Regulation if specified findings are made. The proposed changes would cross-reference that ability within section 15.070 (itself a Land Development Regulation), which imposes a 500-foot setback from a surface watercourse for geothermal development within the Hot Creek Buffer Zone.

Setback requirements are traditional development standards (i.e., zoning standards) incorporated into the General Plan pursuant to a 1998 opinion of the California Attorney General issued at the request of Mono County. (81 Ops.Cal.Atty.Gen 57.) As with traditional zoning, the General Plan contemplates the need to vary from such development standards and has incorporated a process, consistent with state law, to make adjustments for project-specific circumstances through the variance process. GPA 12-003(b) clarifies the County's current and past practice in implementing its General Plan.

The Energy Resources section of the Conservation and Open Space Element (Goal 1, Objective D, Policy 1, Action 1.13) lists the 500-foot setback imposed by section 15.070 as an "action" to further the General Plan policy of protecting hydrologic resources. That reference is not intended to prohibit the granting of an otherwise authorized variance from section 15.070 setbacks, nor does it "re-impose" the setback requirement. The proposed clarifying language to be added to section 15.070 is not in conflict with the Conservation and Open Space Element either as written, or as proposed to be clarified contemporaneously with the clarification to section 15.070.

EXHIBIT F

Draft Proposed General Plan Amendment

The proposed General Plan clarifying revision would read as follows (new language shown in underline):

Land Use Element

Land Development Regulations

15.070 Development Standards.

The following minimum development standards shall apply to all projects in the Resource Extraction Designation unless a variance is granted in accordance with Chapter 33 or amended through the “Specific Plan” process. Other standards or conditions identified during the use permit process may also apply.

A. Lot Size and District Area.

The minimum lot size and district area shall be 40 acres or a quarter, quarter section, with the exception of patent and/or historical mining claims and "vested operations" which shall be considered on a case by case basis. Minimum lot size and district area may be reduced in conformance to the "Development Plan" or "Specific Plan" process.

B. Setbacks.

1. No processing equipment or facilities shall be located and no resource development shall occur within the following minimum horizontal setbacks:
 - a. One hundred (100) feet from any interior public street or highway unless the Public Works Director determines that a lesser distance would be acceptable.
 - b. One hundred (100) feet from any exterior property line.
 - c. Five hundred (500) feet from any adjacent private dwelling, institution, school, or other building or location used for public assemblage.
 - d. No geothermal development located within the Hot Creek Buffer Zone shall occur within 500 feet on either side of a surface watercourse (as indicated by a solid or broken blue line on U.S. Geological Survey 7.5- or 15-minute series topographic maps).

Conservation and Open Space Element

Energy Resources, Objective D, Policy 1

Action 1.13: ~~No geothermal development located within the Hot Creek Buffer Zone shall occur~~ Adoption of land development regulations for geothermal development within 500 feet on either side of a surface watercourse (as indicated by a solid or broken blue line on U.S. Geological Survey 7.5- or 15-minute series topographic maps) within the Hot Creek Buffer Zone (See Mono County Land Development Regulations, Chapter 15, section 15.070(B)(1)(d) .)

***Mammoth Pacific
Magma Lands including
MP-1, MP-2, M-1 Power Plants***

Reclamation Plan

Project 3030.2

November 2011
Revised September 2012

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Date

Mammoth Pacific MP-1, MP-2, M-1 Reclamation Plan

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1. Introduction

Mammoth Pacific, LP (MPLP) is currently operating the MP-1 and MP-2 power plants, which are located in the southeast portion of the “Magma” private property in the northwest quarter of Section 32, Township 3 South, Range 28 East of the Mount Diablo Meridian.

The MP-1 plant was the first geothermal power plant to be built at the Mammoth Pacific Complex, commencing operation in 1984 under a Conditional Use Permit issued by Mono County. MP-2 geothermal plant was established in 1990 under a separate Mono County Conditional Use Permit. Ormat Nevada, Inc., the owner of MPLP, proposes to replace the existing MP-1 plant with a new, modern, efficient, and more advanced M1 generation plant. MPLP will build the new plant slightly to the east of the MP-1 site and just west of the MP-2 site as shown in the attached Plate A. The MP-1 plant will operate for up to 2 years from the date the M-1 plant begins startup operations. MPLP will close and decommission the MP-1 plant after the M-1 plant becomes commercial. Depending on the approval and construction start date of M-1, the anticipated date for the reclamation of the MP-1 plant will be in Year 2014 or 2015. The MP-2 plant full reclamation will commence in 2045. At that time the MP-1 plant site will be reclaimed through the removal of the existing power plant facilities within the site. As an interim, MP-1 site will be reused as an equipment yard to support the Mammoth Pacific operations as it is adjacent to the Mammoth Pacific offices and existing maintenance yard. The existing offices, maintenance yard, and warehouse next to the MP-1 site will remain until all geothermal operations including the PLES plant on USFS lands end power production.

Once any power plant (MP-1, MP-2, or M-1) has been removed, reclamation of the site will be completed within one year.

Once the new M1 plant is decommissioned in 2045, the MP-1 and M-1 sites will be reclaimed as described below in Section 2 – Reclamation Plan.

Included in the reclamation will be the geothermal well sites which support the M-1, MP-1, and MP-2 plants. These wells will remain in operation until 2045. Well sites are shown on Plate B.

The end land use for the MP-1 site will be to restore the 39 acre parcel to natural site conditions consistent with the Resource Management land use designation.

The end land use for the M-1 and MP-2 sites will be to restore the 50 acre parcel to natural site conditions consistent with the Resource Extraction land use designation.

Summary of Reclamation Plan timeframe, cost, and end land use for all geothermal sites is shown below:

	MP-1 Plant	MP-2 Plant	M-1 Plant	Wells
Reclamation Start Date	Year 2014 or 2015	Year 2045	Year 2045	Year 2045
Estimated Cost	\$356,224	\$739,513	\$564,949	\$2,210,719

The reclamation date provided for the M-1 plant and the wells are estimated dates only. Ormat plans to operate the plant and wells as long as there is the geothermal resource is available. This reclamation plan will need to be revised and approved by the County if the geothermal plant will continue operations past 2045 or if the reclamation changes due to a change in end land use.

2. Reclamation Plan

This Reclamation Plan (Plan) is subject to Planning Commission approval and prepared in compliance with Mono County General Plan requirements (Chapter 35) and is designed to meet the reclamation requirements of the MP-1, MP-2, and M-1 plants. The reclamation techniques and methods in this Reclamation Plan are based on successful re-vegetation/reclamation programs initiated at the existing Casa Diablo Power Plants.

The reclamation plan addresses all surface disturbance created by the Project and abandonment of geothermal well sites. The geothermal wells will be sealed in accordance with the State and Mono County Environmental Health Department standards and requirements. Disturbed areas surrounding the wells will be reclaimed in the same manner as the plant sites.

In general, the reclamation plan includes measures for protecting wildlife and the public; minimizing erosion; demolishing structures; re-grading cut-and-fill slopes; re-vegetation; and providing the resumption of pre-project land uses. The reclamation goals are to reclaim the site to a stable, functioning landscape unit/ecosystem to allow for similar land uses, including wildlife habitat and dispersed and concentrated recreation, as currently exist, consistent with the Inyo National Forest Land and Resource Management Plan and the Mono County General Plan.

Wildlife Habitat

- A. No federal- or state-listed threatened or endangered species are known to occupy or frequent the Project area, however, there are five species of special concern to the Forest Service and CDFG associated with this habitat: mule deer, pine marten, northern goshawk, California spotted owl, and sage grouse. With removal of surface facilities and re-vegetation there would be

- no residual impacts to these species.
- B. Wildlife habitat will be established on the reclaimed lands in a condition similar to the undisturbed lands surrounding the sites.
 - C. There are no wetlands or other surface waters located within the Project area, therefore, no wetland habitats will be impacted.
 - D. There are no perennial streams or other surface waters located within the Project area. A "blue line" stream is identified adjacent to the sites along the northerly boundary on the U.S. Geological Survey (USGS) topographic map ("Old Mammoth" quadrangle, 1:24000 series). The blueline stream is an ephemeral/intermittent identified as a stream "riparian conservation area" (RCA) by the USFS under the SNFPA ROD (USDA, Forest Service 2004). The stream flows southeast through the Casa Diablo geothermal development area emergency spill containment basin then draining into Mammoth Creek approximately 0.8 miles from the site.
 - E. A more detailed on wildlife and wildlife habitat is found in Section 3.5 Biological Resources of Draft EIR.

Backfilling, Re-grading, Slope Stability and Re-contouring

Upon completion of operations, all Project-affected areas of surface disturbance will be re-contoured as necessary to blend with the surrounding topography as soon as practicable. Final reclaimed fill slopes will not exceed 2:1 (horizontal:vertical), except where site-specific geologic and engineering analyses demonstrate that the proposed final slope will have a minimum slope stability factor of safety that is suitable for the approved end use and when the proposed final slope can be successfully re-vegetated.

A final site reclamation plan for MP-1 plan is provided on Plates 1a, 1b, and 1c, attached in Appendix A. Once facilities have been removed from the plant site minor grading to shape the existing pad to slope to the northeast and backfill of the existing retention pond will be completed. As an interim, the pad will be covered with gravel to provide a surface for vehicles that will significantly reduce erosion and runoff through percolation of rainfall and snowmelt. Existing slope on the west and south sides of the plant site will be graded at 2:1 (horizontal: vertical) down to the reshaped pad. A stormwater retention basin will be graded to intercept the 20 year, 1 inch rainfall event as part of the interim reclamation plan. The basin will be graded with 3:1 side slopes to allow animals to escape from the basin. The fire suppression system will not be removed since it serves the existing office buildings.

As part of the final reclamation plan, gravel from the MP-1 site will be removed and the site will be re-vegetated. A retention basin will be located in the northeast

corner to collect the runoff from the site graded with side slopes of 3:1 to allow animals to escape from the bottom of the basin. Final reclaimed slopes, will not exceed 2:1 (horizontal: vertical) and will conform to the surrounding topography.

A site reclamation plan for the MP-2 plant site is provided on Plates 2a and 2b, attached in Appendix A. The plant structures, piping and equipment will be removed initially including concrete foundations supporting those facilities. The concrete liner from the existing pond will be removed and the pond will be backfilled. A retention basin will be installed as shown on Plate 2b, to collect the runoff from the site. Minor grading will be required once all the facilities and paving have been removed from the plant. The site will be graded at approximately 1% toward the retention basin. The concrete lined sloped separating MP-2 site and PLES site will remain until PLES site is reclaimed. A small portion of the slope located at the northern boundary of MP-2 site will be re-graded at 2:1 (horizontal: vertical).

A site reclamation plan for the M-1 plant site is provided on Plates 3a and 3b, attached in Appendix A. Once facilities have been removed from the plant site, slopes around the site will be graded at 2:1 (horizontal: vertical). The pad will be graded to slope to the south toward the existing retention pond. Existing retention system west of the pond will be removed and another retention pond will be graded with 3:1 side slopes. The two retaining walls on the site will also be removed and a slope will be constructed at a maximum of 2:1 where the walls were located.

Re-vegetation

The natural re-vegetation and planted vegetation that has already occurred on previously disturbed areas for the existing Casa Diablo Power Plants serve as a basis for determining the plant species and topographic features necessary for successful reclamation. These methods in use already include the design and construction of stable slopes, minor re-grading, ripping or sub-soiling to de-compact and loosen compacted soil, topsoiling, surface preparation through fine grading, reseeding and re-vegetation (or natural re-vegetation).

The M-1 site will be removing approximately 39 trees. Due to the lack of irrigation water available to establish trees replacement of trees is not proposed within the reclamation plan.

Seeding of disturbed areas would be completed using the following seed mixture and application rate:

Species	Pure Live Seed (Pounds per Ac.)
Big sagebrush (<i>Artemisia tridentata</i>)	0.5
Antelope bitterbrush (<i>Purshia tridentata</i>)	4
Desert peach (<i>Prunus andersonii</i>)	2
Rabbitbrush (<i>Ericameria nauseosa</i>)	0.5

Western needlegrass (<i>Achnatherum occidentale</i>)	2
Squirreltail (<i>Elymus elytoides</i>)	4
Basin wildrye (<i>Leymus cinereus</i>)	3

Preferably, seeds for this project would be collected within the immediate vicinity of the project area. If this is not possible due to poor seed availability, seed from the Eastern Slopes Subsection of the Sierra Nevada Section and Mono Section (Miles and Goudey 1997 — map available) would be acceptable. If availability still presents a problem, the seed mix may be modified in consultation with the Forest Service. Re-vegetation will occur in the fall to take advantage of fall and winter moisture.

The existing detention pond at MP-1 plant will be designated as a re-vegetation site to test the seed mix, shown on Plate 1B. Annual monitoring of this site will be conducted annually.

Success standards for re-vegetation are as follows:

- At least 3 shrubs and 8 perennial native grasses and/or forbs per 4 square meters would be established on site.
- Perennial grasses would account for at least 10% of the relative cover.
- All non-native weed species that are already present in the area would account for no more than 5% total of the relative cover at the end of the 2 year evaluation period. New non-native species introduced as a result of the project would be eradicated, i.e. 0% cover. Where this standard is not met, appropriate weed control measures will be implemented.
- At least 70% of trees planted. If this success rate is not achieved then supplemental irrigation may be required to establish trees.

Seeded slopes will be stabilized with erosion control blanket, such as "North American Green jt150."

The re-vegetated areas would be monitored for compliance with the success standards defined above. Barriers will be installed as necessary to prevent unauthorized vehicular traffic from interfering with the reclamation of temporary access routes or other project areas. Re-vegetated areas may be fenced to protect young plants from grazing animals.

The area shown on the M-1 reclamation plan as hot soils will not be held to the success standards noted above as existing areas around the project site with hot soils are either void of vegetation or poorly vegetated so it is anticipated the hot soils will not revegetate.

Failure to meet the success standards would require additional planting and/or weed control, as appropriate, until standards are met.

Drainage, Diversion Structures, Waterways and Erosion Control

Stable topographic surface and drainage conditions will be established to control erosion, prevent sedimentation, blend with the surrounding landscape, and to protect on-site and downstream sites.

Surface runoff and drainage will be controlled by silt fencing or a straw wattle until the interim gravel surface for MP-1 has been placed on the pad and/or the new vegetation has been developed to a point of controlling erosion for all sites during final reclamation.

Retention basins have been designed for each site, based on the Lahontan Regional Water Quality Control Board's Water Quality Plan for the Mammoth Creek Basin to contain the runoff volume generated from a 20 year intensity storm with a one hour duration, which is assumed to be 1 inch (0.83 feet) * Area (square feet) * C (infiltration coefficient). Retention basin sizing calculations are included in Appendix B.

Prime Agricultural Reclamation

The geothermal plant sites are not located within the prime agricultural lands and, therefore, this standard does not apply to the reclamation plan.

Other Agricultural Land

The geothermal plant sites are not located within agricultural lands of any kind and, therefore, this standard does not apply to the reclamation plan.

Building, Structure and Equipment Removal

At project decommissioning, all buildings and ancillary facilities will be reclaimed by having all structures removed and taken off-site. The on-site electric systems, geothermal and fire suppression water pipelines will be removed. The foundations for the plants, asphalt pavement except for those roads which support offsite facilities, and retaining walls will be removed. All above ground pipeline structures will be removed including the pipe and supports. Plates 1a, 2a, and 3a show the existing sites and identify the facilities to be removed. The liner at the bottom of the existing retention pond at MP-1 plant, the concrete pond at MP-2, and underground retention basin at M1 site will be removed and soil will be tested for possible hydrocarbon contamination. All contaminated soils will be removed and disposed of in accordance with state and local health and safety ordinances. All other waste to be disposed of will also be done in accordance with state and local health safety ordinances.

Stream Protection, including Surface and Groundwater

There are no perennial streams or other surface waters located within the Project area.

Topsoil Salvage, Maintenance and Redistribution

A topsoil stockpiled area for the M-1 plant will be shown on a map prior to the start of construction. Once the M-1 plant is decommissioned and removed, topsoil will be spread over the site in a minimum thickness of 3 inches.

Topsoil was not stockpiled when MP-1 and MP-2 sites were graded. Therefore, the resulting surficial soils after grading will be analyzed to determine the presence or absence of elements essential for plant growth and to determine those soluble elements that may be toxic to plants, if the soil has been chemically altered or if the growth media consists of other than the native topsoil. If soil analysis suggests that fertility levels or soil constituents are inadequate to successfully implement the re-vegetation program, fertilizer or other soil amendments may be incorporated into the soil. When native plant materials are used, preference will be given to slow-release fertilizers, including mineral and organic materials that mimic natural sources, and will be added in amounts similar to those found in reference soils under natural vegetation of the type being reclaimed.

Topsoil and suitable amended surficial soils will be planted with a vegetative cover or will be protected by other equally effective measures to prevent water and wind erosion and to discourage weeds.

Tailing and Waste Management

Geothermal drilling waste and cuttings shall be disposed of in a manner approved by the Lahontan Regional Water Quality Control Board and/or Mono County Environmental Health.

Closure of Surface Openings

Wells will be plugged in accordance with the State laws and regulations. Plugged wells will be protected from public entry in order to eliminate any threat to public safety and to preserve access for wildlife habitat.

3. Inspections

A request for annual inspection will be submitted to the Mono County Compliance Officer once each calendar year until construction activities are completed, resuming again once abandonment activities commence. Requests for annual inspections will be accompanied by a written report prepared by a qualified professional who identifies to what extent the reclamation at the site conforms or deviates from the approved reclamation plan.

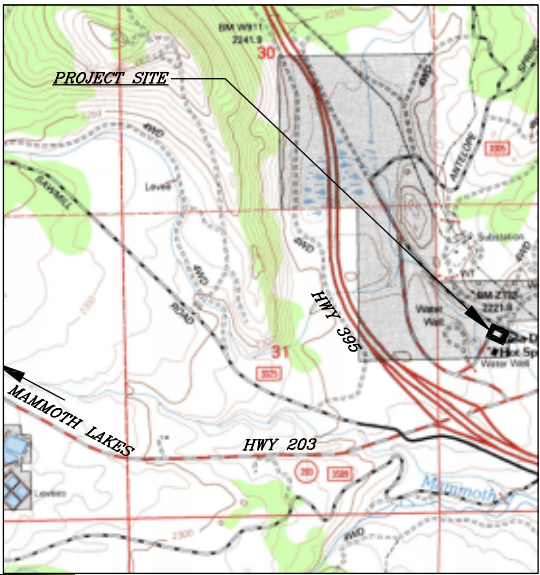
The Compliance Officer will inspect or cause to be inspected the site within 30 working days of receipt of the written report, filing fee, and application for inspection. Unless otherwise agreed, failure to inspect within 30 working days shall be deemed acceptance of the report and a finding that the resource development operation is in compliance with the reclamation plan.

***Reclamation Plan
Mammoth Pacific
MP-1, MP-2, M-1 Power Plants***

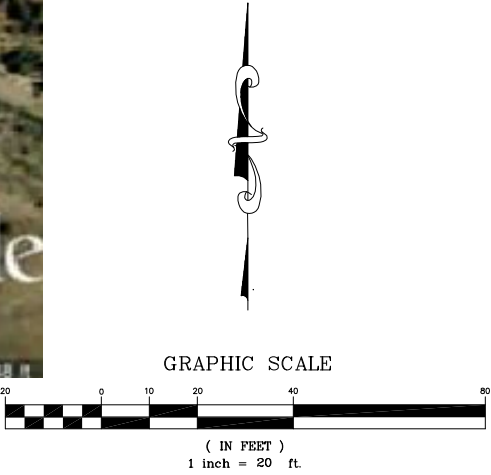
APPENDIX A


Plates

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VICINITY MAP
NOT TO SCALE





triad/holmes assoc.
civil engineering
land surveying
MAMMOTH LAKES
BISHOP
REDWOOD CITY
SAN LUIS OBISPO

PREPARED & SUBMITTED BY:

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PREPARED FOR:

ORMAT

MAMMOTH GEOTHERMAL PLANTS

RECLAMATION SITE PLAN

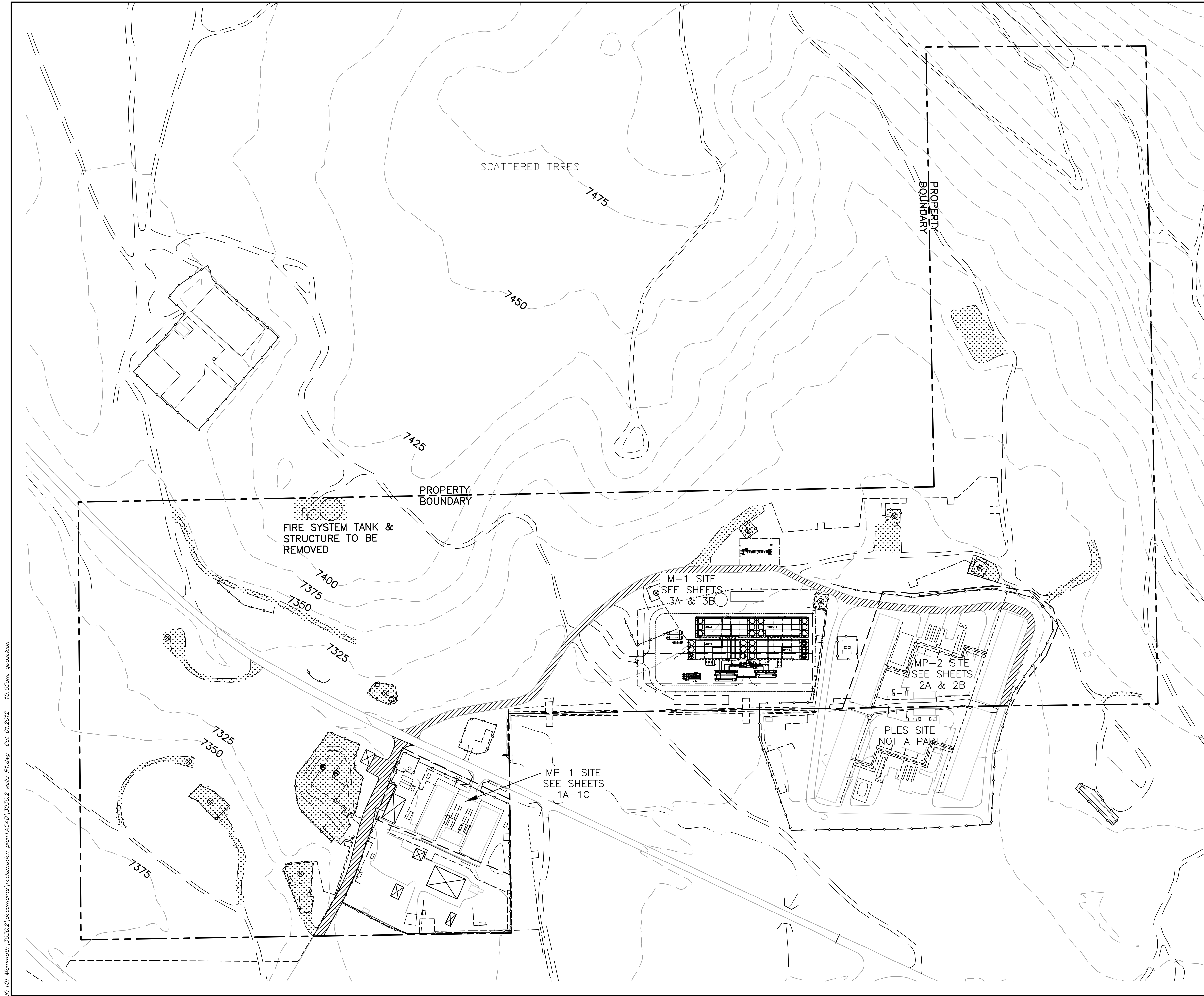
MAMMOTH LAKES, CA.

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JOB NO.	3030.2
PLATE	A

76

SHEET 1 OF 9

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NOTE:
THIS RECLAMATION PLAN WAS PREPARED BASED ON THE TERMINATION OF ALL GEOTHERMAL POWER GENERATING OPERATIONS WHEN, AT THAT TIME, RESTORATION OF THE SITE TO A FINAL PROPERTY END USE OF OPEN SPACE WILL OCCUR. IF OFFSITE GEOTHERMAL POWER GENERATION CONTINUES (PLES POWER FACILITY) WHEN ONSITE POWER GENERATION OPERATIONS CEASE THEN THE OFFICE, MAINTENANCE YARD AND ACCESS ROADS WILL REMAIN IN OPERATION UNTIL THOSE OFFSITE FACILITIES ARE SHUT DOWN. IF AT ANYTIME DURING CONTINUING OPERATION OF THE FACILITIES A DIFFERENT END USE IS DETERMINED TO BE MORE FEASIBLE THAN OPEN SPACE THE OPERATORS OF THE PLANT HAVE THE RIGHT TO MODIFY THIS RECLAMATION PLAN IN CONFORMANCE WITH MONO COUNTY REQUIREMENTS.

LEGEND

- AC PAVING TO BE REMOVED AND ROAD BASE TO REMAIN FOR SITE MONITORING PURPOSES.
- STRUCTURE TO BE REMOVED
- INJECTION OR PRODUCTION WELL TO BE DESTROYED WITH PIPING REMOVED AND PAD HYDROSEEDED
- FENCE TO BE REMOVED
- PIPELINE TO BE REMOVED
- PROPERTY BOUNDARY
- EXISTING DIRT ROAD
- WELL PAD & ACCESS ROAD TO BE HYDROSEEDED



NOT TO SCALE

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land surveying
MAMMOTH LAKES
BISHOP
REDWOOD CITY
SAN LUIS OBISPO

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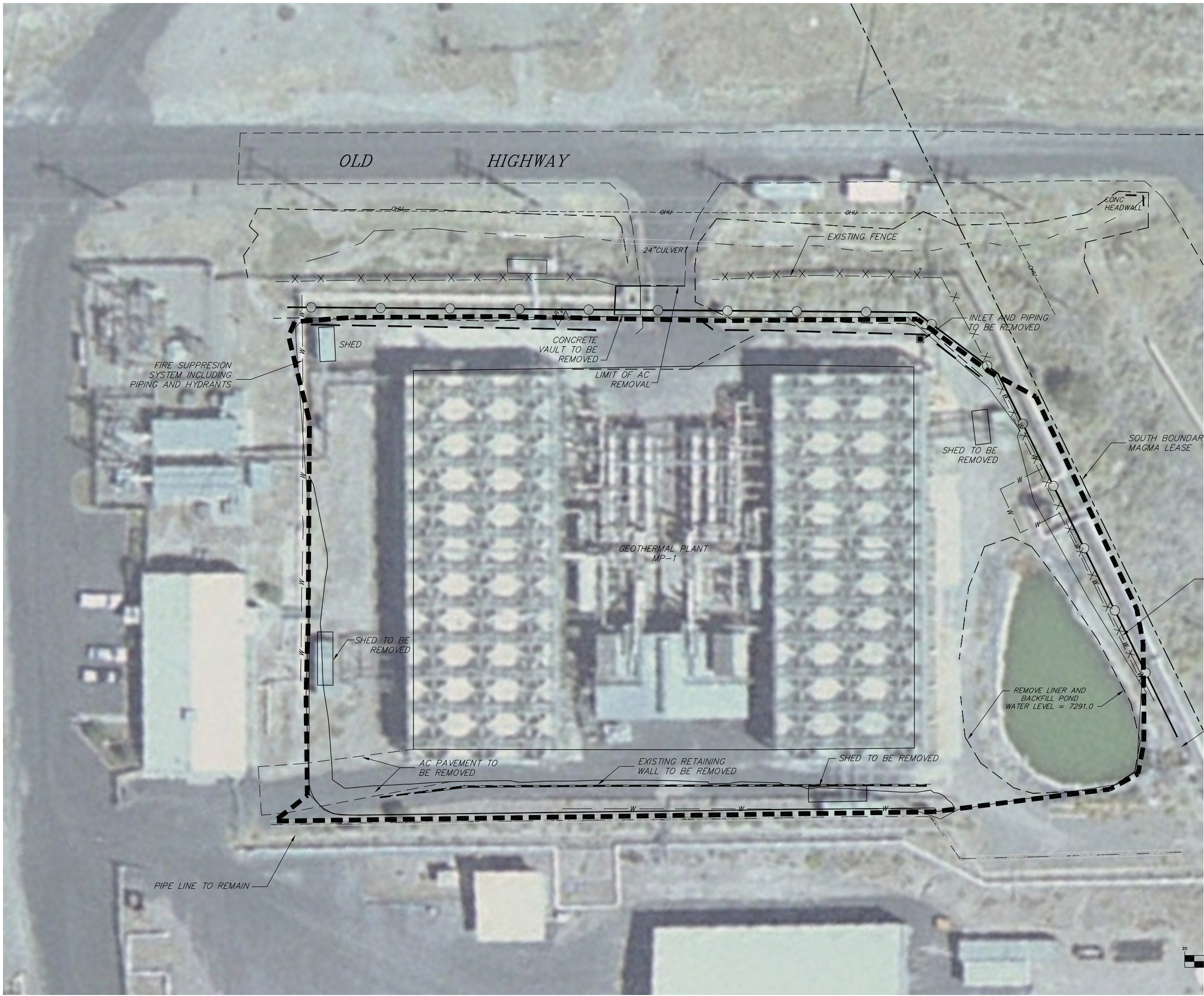
PREPARED FOR:

ORMAT

MAMMOTH GEOTHERMAL WELL SITES
RECLAMATION SITE PLAN
MAMMOTH LAKES, CA.

DATE:	10/01/12
SCALE:	AS SHOWN
DRAWN:	MF
JOB NO.:	3030.2
PLATE:	B
SHEET	2
OF	9

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RECLAMATION NOTES:
ALL STRUCTURES, INCLUDING FOUNDATIONS, SURFACE AND SUBSURFACE UTILITIES AND DRAINAGE PIPING ARE TO BE REMOVED AND SALVAGED PER THIS RECLAMATION PLAN

--- LIMITS OF DISTURBANCE
(AREA TO BE RECLAIMED)



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MAMMOTH GEOTHERMAL PLANT MP-1

RECLAMATION SITE PLAN

MAMMOTH LAKES, CA.

DATE 05/12/11

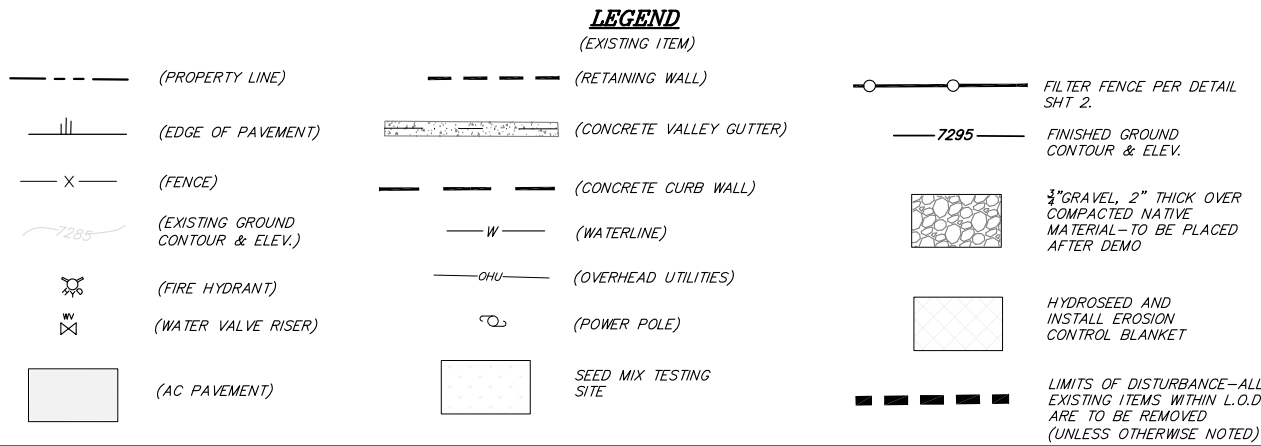
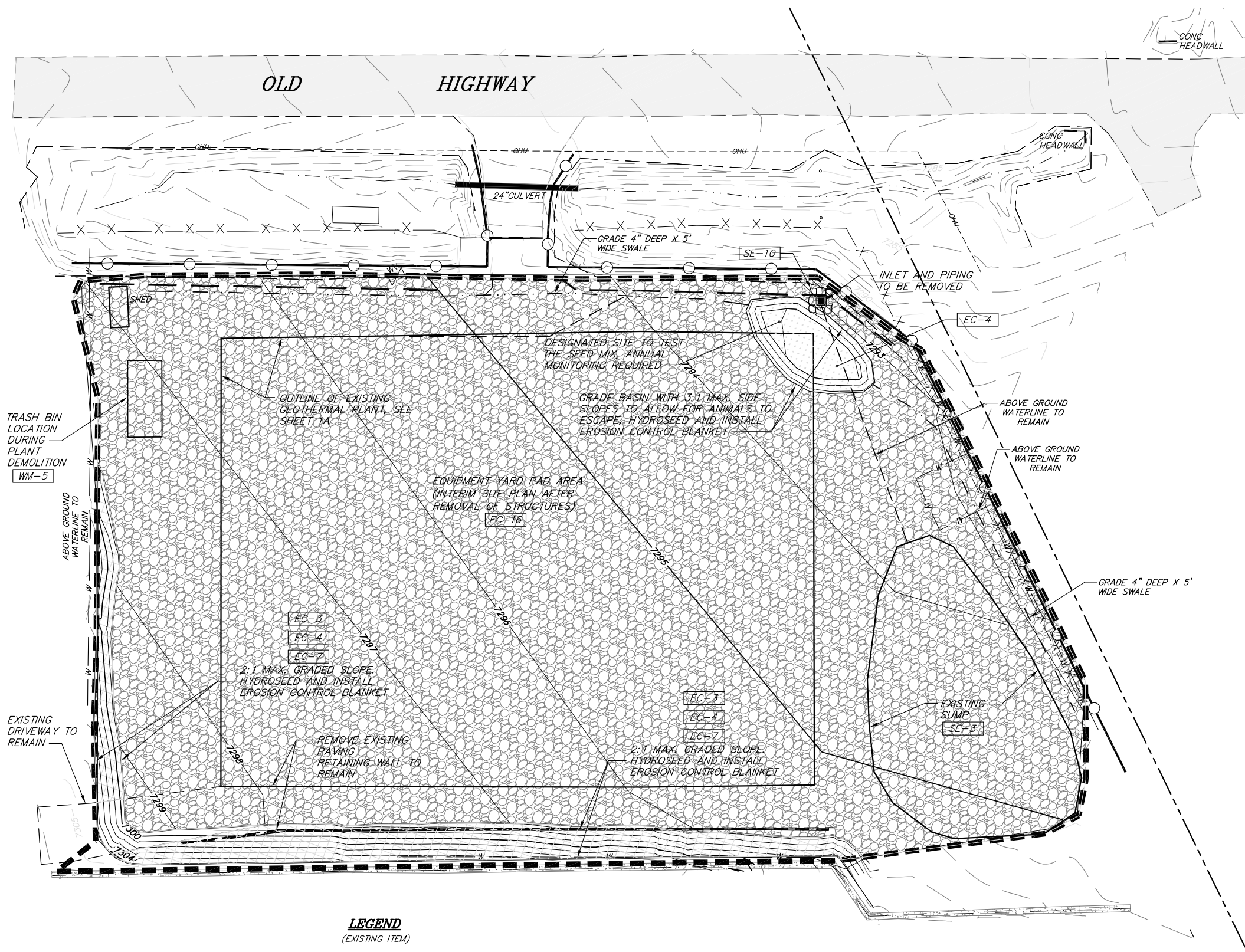
SCALE AS SHOWN

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JOB NO. 3030.2

PLATE 1A

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CASQA BMP'S TO BE IMPLEMENTED

- EC-3 HYDRAULIC MULCH
- EC-4 HYDROSEEDING
- EC-7 GEOTEXTILES AND MATS. USE NORTH AMERICAN GREEN SC150BN JUTE MAT
- EC-16 NON VEGETATIVE STABILIZATION (GRAVEL MULCH)
- SE-3 SEDIMENT TRAP
- SE-10 STORM DRAIN INLET PROTECTION
- WM-5 SOLID WASTE MANAGEMENT

GRADING AND SITEWORK SPECIFICATIONS:

- CONTRACTOR SHALL TAKE ALL SUCH MEASURES NECESSARY TO CONTROL DUST IN CONSTRUCTION AREAS OR ON ACCESS ROADS. SUFFICIENT WATER TRUCKS SHALL BE MADE AVAILABLE FOR DUST CONTROL PURPOSES. ALL EXPOSED SOIL SURFACES SHALL BE MOISTENED AS REQUIRED TO AVOID NUISANCE CONDITIONS AND INCONVENIENCES FOR LOCAL RESIDENTS AND TRAVELERS OF NEARBY ROADWAYS.
- CONTRACTOR SHALL CONDUCT ALL GRADING OPERATIONS IN CONFORMANCE WITH THE CONSTRUCTION SAFETY ORDERS OF THE STATE OF CALIFORNIA, DEPARTMENT OF INDUSTRIAL RELATIONS, DIVISION OF INDUSTRIAL SAFETY. IN ADDITION, CONTRACTOR SHALL COMPLY WITH ALL REQUIREMENTS OF GENERAL OSHA STANDARDS FOR THE PROTECTION OF WORKMEN AND THE GENERAL PUBLIC. OSHA PERMITS REQUIRED FOR DEEP TRENCHES.
- ANY EARTH MATERIAL IMPORTED OR EXCAVATED ON THE PROPERTY MAY BE UTILIZED IN THE FILL, PROVIDED THAT EACH MATERIAL HAS BEEN DETERMINED TO BE SUITABLE BY THE GEOTECHNICAL ENGINEER. ALL FILL SHALL BE FREE OF ORGANIC AND OTHER DELETERIOUS MATERIAL. SOILS OF POOR GRADATION, EXPANSION POTENTIAL, OR STRENGTH CHARACTERISTICS SHALL BE PLACED IN AREAS DESIGNATED BY THE CONSULTANT OR SHALL BE MIXED WITH OTHER SOILS TO SERVICE AS SATISFACTORY SOIL MATERIAL.
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- CONTRACTOR SHALL NOT WORK DURING TIMES THAT RAINSTORMS ARE EXPECTED.
- WITH THE EXCEPTION OF TEMPORARY EXCAVATION FOR MASS GRADING AND AREAS SHOWN TO BE LANDSCAPED, CUT AND FILL SLOPES SHALL NOT EXCEED A STEEPNESS OF 2:1, UNLESS OTHERWISE NOTED, AND SHALL BE REVEGETATED TO CONTROL EROSION. STOCKPILED TOPSOIL WILL BE SPREAD EVENLY TO A DEPTH OF 6" MINIMUM OVER SLOPES & DISTURBED AREAS & SEEDING TO PREVENT EROSION WITH THE FOLLOWING MIXTURE:

SPECIES	PURE LIVE SEED (POUNDS PER AC.)
BIG SAGEBRUSH (ARTEMISIA TRIDENTATA)	0.5
ANTELOPE BITTERBRUSH (PURSHIA TRIDENTATA)	4
RABBITBRUSH (ERICAMERIA NAUSEOSA)	0.5
DESERT PEACH (PRUNUS ANDERSONII)	2
WESTERN NEEDLEGRASS (ACHNATHERUM OCCIDENTALIS)	2
BASIN WILDRYE (LEYMUS CONEREUS)	3
SQUIRRELTAIL GRASS (ELYMUS ELYTNOIDES)	4

TOTAL: 16.0

SEEDING SLOPES SHALL BE STABILIZED BY INSTALLATION OF AN EROSION CONTROL BLANKET, "NORTH AMERICAN GREEN SC150BN JUTE MATTING" OR APPROVED EQUAL, SECURED PER MANUFACTURER'S RECOMMENDATIONS.

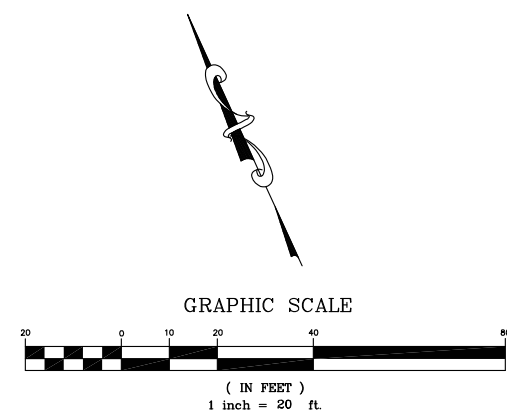
- FILL MATERIAL SHALL BE PLACED IN LIFTS SUCH THAT ALL FILL IS COMPACTED TO A MINIMUM OF 90% OF THE MATERIAL'S MAXIMUM DRY DENSITY. EXISTING SLOPES OF 5:1 OR STEEPER TO RECEIVE FILL SHALL BE KEYED WITH EQUIPMENT--WIDTH BENCHES PRIOR TO COMPACTION AND FILL PLACEMENT.

NOTE:

EXISTING DRAIN INLET, PIPING AND SUMP TO REMAIN UNTIL ALL THE EXISTING POWER PLANT STRUCTURE, FOUNDATIONS AND PAVING IS COMPLETELY REMOVED.

REMOVE EXISTING STORM DRAIN SYSTEM, BACKFILL SUMP AND EXCAVATE PERMANENT RETENTION BASIN AND INSTALL 3/4" ROCK SURFACE DURING SUMMER MONTHS ONLY.

NO PERMANENT SOLID WASTE OR HAZARDOUS WASTE CONTAINERS WILL BE STORED OR USED ON-SITE. CLEANING AND FUELING OF EQUIPMENT WILL NOT OCCUR ON THE SITE.



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REVISIONS:	BY:
△	SR

PREPARED FOR:

ORMAT

MAMMOTH GEOTHERMAL PLANT MP-1
INTERIM RECLAMATION SITE
STORM WATER POLLUTION PREVENTION PLAN
MAMMOTH LAKES, CA.



GRADING AND SITEWORK SPECIFICATIONS:

1. CONTRACTOR SHALL TAKE ALL SUCH MEASURES NECESSARY TO CONTROL DUST IN CONSTRUCTION AREAS OR ON ACCESS ROADS. SUFFICIENT WATER TRUCKS SHALL BE MADE AVAILABLE FOR DUST CONTROL PURPOSES. ALL EXPOSED SOIL SURFACES SHALL BE MOISTENED AS REQUIRED TO AVOID NUISANCE CONDITIONS AND INCONVENIENCES FOR LOCAL RESIDENTS AND TRAVELERS OF NEARBY ROADWAYS.
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3. ANY EARTH MATERIAL IMPORTED OR EXCAVATED ON THE PROPERTY MAY BE UTILIZED IN THE FILL, PROVIDED THAT EACH MATERIAL HAS BEEN DETERMINED TO BE SUITABLE BY THE GEOTECHNICAL ENGINEER. ALL FILL SHALL BE FREE OF ORGANIC AND OTHER DELETERIOUS MATERIAL. SOILS OF POOR GRADATION, EXPANSION POTENTIAL, OR STRENGTH CHARACTERISTICS SHALL BE PLACED IN AREAS DESIGNATED BY THE CONSULTANT OR SHALL BE MIXED WITH OTHER SOILS TO SERVICE AS SATISFACTORY SOIL MATERIAL.
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5. ALL SITE WORK SHALL BE COMPLETED PRIOR TO OCT 15 OF EACH YEAR. ANY WORK PROPOSED AFTER THIS DATE REQUIRES WRITTEN APPROVAL BY THE ENGINEER.
6. CONTRACTOR SHALL NOT WORK DURING TIMES THAT RAINSTORMS ARE EXPECTED.
7. WITH THE EXCEPTION OF TEMPORARY EXCAVATION FOR MASS GRADING AND AREAS SHOWN TO BE LANDSCAPED, CUT AND FILL SLOPES SHALL NOT EXCEED A STEEPNESS OF 2:1, UNLESS OTHERWISE NOTED, AND SHALL BE REVEGETATED TO CONTROL EROSION. STOCKPILED TOPSOIL WILL BE SPREAD EVENLY TO A DEPTH OF 6" MINIMUM OVER SLOPES & DISTURBED AREAS & SEEDING TO PREVENT EROSION WITH THE FOLLOWING MIXTURE:

SPECIES	PURE LIVE SEED (POUNDS PER AC.)
BIG SAGEBRUSH (ARTEMISIA TRIDENTATA)	0.5
ANTELOPE BITTERBRUSH (PURSHIA TRIDENTATA)	4
DESERT PEACH (PRUNUS ANDERSONII)	2
INDIAN RICEGRASS (ACHNATHERUM OCCIDENTALIS)	2
WESTERN NEEDLEGRASS (ACHNATHERUM OCCIDENTALIS)	2
SQUIRREL TAIL (ELYMUS ELYTNOIDES)	3
SPURRED LUPINE (LUPINUS ARGENTAEUS VAR. HETERANTHUS)	2
CHICALOTE, PRICKLY POPPY (ARGENIONE MUNITE)	1
TOTAL:	16.5

SEEDING SLOPES SHALL BE STABILIZED BY INSTALLATION OF AN EROSION CONTROL BLANKET, "NORTH AMERICAN GREEN SC150" OR APPROVED EQUAL, SECURED PER MANUFACTURER'S RECOMMENDATIONS.
8. FILL MATERIAL SHALL BE PLACED IN LIFTS SUCH THAT ALL FILL IS COMPACTED TO A MINIMUM OF 90% OF THE MATERIAL'S MAXIMUM DRY DENSITY. EXISTING SLOPES OF 5:1 OR STEEPER TO RECEIVE FILL SHALL BE KEYED WITH EQUIPMENT-WIDTH BENCHES PRIOR TO COMPACTION AND FILL PLACEMENT.

CONSTRUCTION LEGEND
(EXISTING ITEM)

--- (PROPERTY LINE)

||| (EDGE OF PAVEMENT)

—X— (FENCE)

7285 (EXISTING GROUND CONTOUR & ELEV.)

⊕ (FIRE HYDRANT)

⊕ (WATER VALVE RISER)

■ (AC PAVEMENT)

--- (RETAINING WALL)

--- (CONCRETE VALLEY GUTTER)

--- (CONCRETE CURB WALL)

■ (DRAIN INLET)

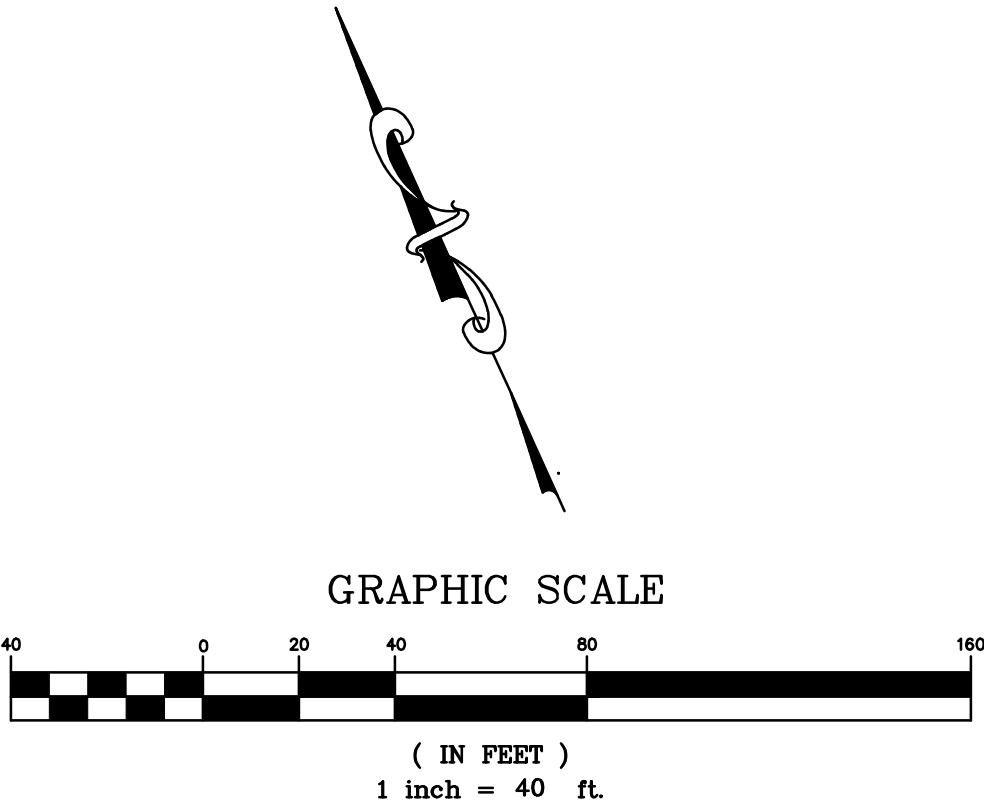
—W— (WATERLINE)

—OHU— (OVERHEAD UTILITIES)

⊕ (POWER POLE)

—7295— FINISHED GROUND CONTOUR & ELEV.

⊕ HYDROSEED TO BE PLACED INSTEAD OF GRAVEL



triad/holmes assoc.
civil engineering
land surveying

MAMMOTH LAKES
BISHOP
REDWOOD CITY
SAN LUIS OBISPO

PREPARED & SUBMITTED BY:

DATE:

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PREPARED FOR:



MAMMOTH GEOTHERMAL PLANT MP-1
LANDSCAPING SITE PLAN
MAMMOTH LAKES, CA.

DATE 10/01/12

SCALE AS SHOWN

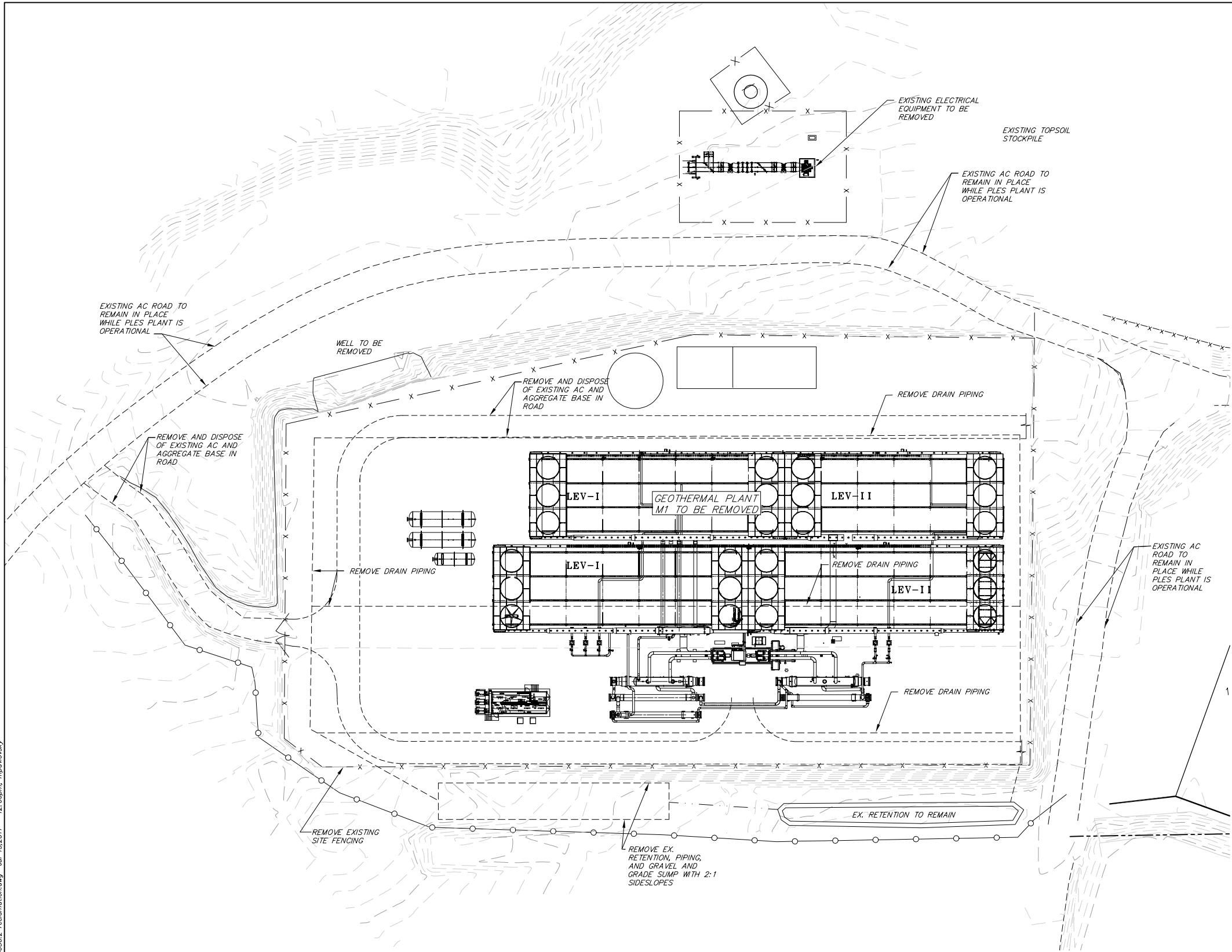
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JOB NO. 3030.2

PLATE 1C

SHEET 5 OF 9

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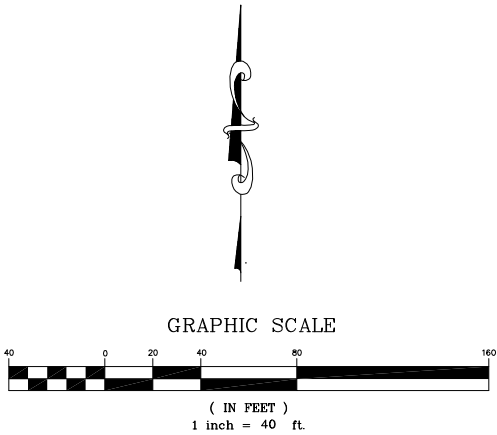



CONSTRUCTION LEGEND

- | | | |
|--|--------------------------------|---|
| --- (PROPERTY LINE) | --- (RETAINING WALL) | ○ (FILTER FENCE PER DETAIL SHT 2) |
| (EDGE OF PAVEMENT) | --- (CONCRETE VALLEY GUTTER) | ---7295--- (FINISHED GROUND CONTOUR & ELEV.) |
| ---X--- (FENCE) | --- (CONCRETE CURB WALL) | --- (LIMITS OF DISTURBANCE-ALL EXISTING ITEMS WITHIN L.O.D. ARE TO BE REMOVED (UNLESS OTHERWISE NOTED)) |
| ⊕ (FIRE HYDRANT) | ---W--- (WATERLINE) | |
| ⊕ (WATER VALVE RISER) | ---OHU--- (OVERHEAD UTILITIES) | |
| ■ (AC PAVEMENT) | ⊕ (POWER POLE) | |
| 7295 (EXISTING GROUND CONTOUR & ELEV.) | | |

RECLAMATION NOTES:

ALL STRUCTURES, INCLUDING FOUNDATIONS, SURFACE AND SUBSURFACE UTILITIES AND DRAINAGE PIPING ARE TO BE REMOVED AND SALVAGED PER THIS RECLAMATION PLAN





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MAMMOTH GEOTHERMAL PLANT M1

RECLAMATION SITE PLAN

MAMMOTH LAKES, CA.

DATE: 05/12/11

SCALE: AS SHOWN

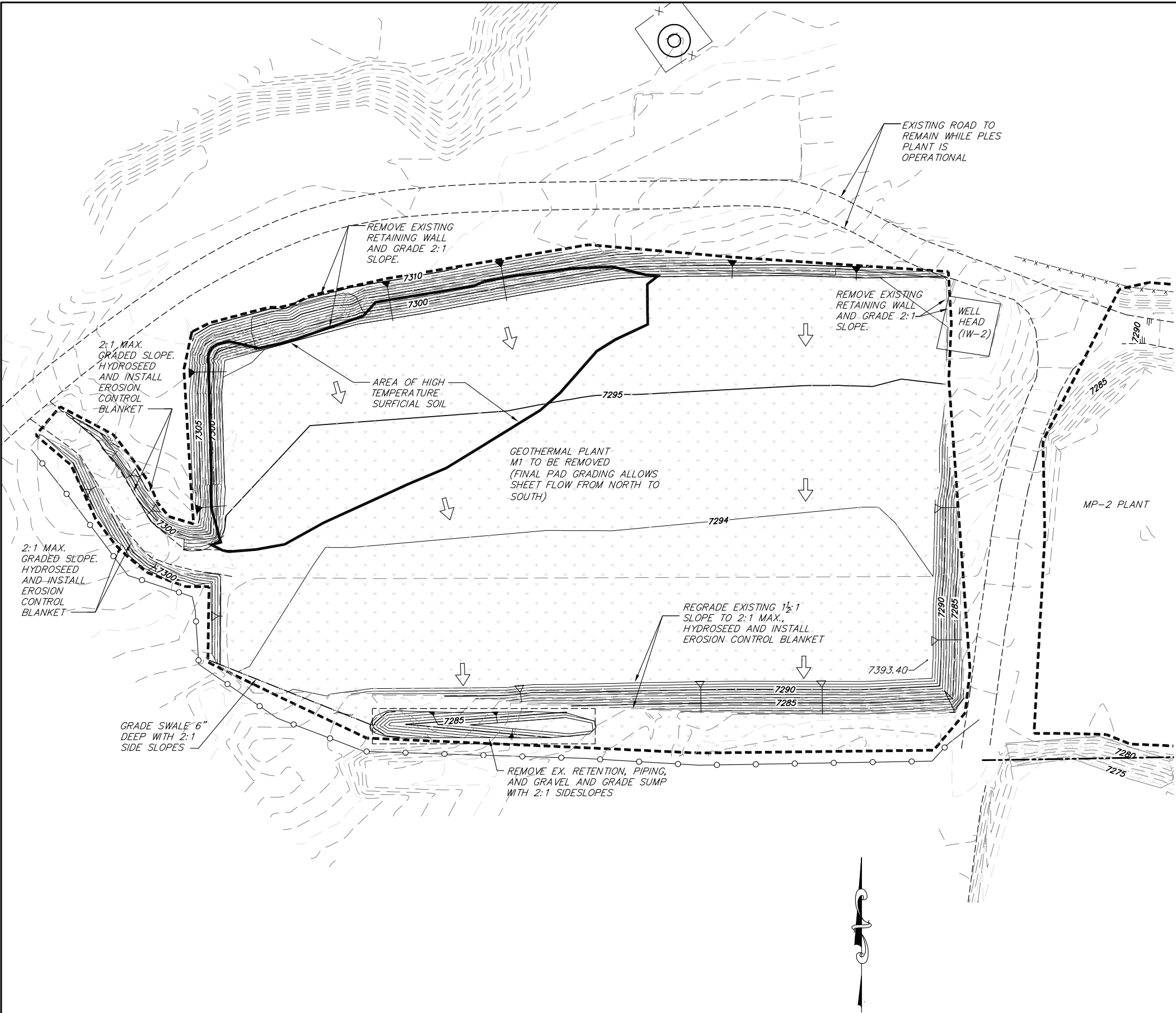
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JOB NO: 3030.2

PLATE: 3A

83 SHEET 8 OF 9

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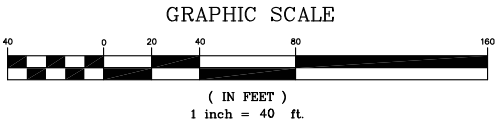
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DESERT PEACH (PRUNUS ANDERSONII)	2
WESTERN NEEDLEGRASS (ACHNATHERUM OCCIDENTALIS)	2
BASIN WILDRIE (LEYMUS CONEREUS)	3
SQUIRRELTAIL GRASS (ELYMUS ELYTNOIDES)	4

TOTAL: 16.0

SEEDING SLOPES SHALL BE STABILIZED BY INSTALLATION OF AN EROSION CONTROL BLANKET, "NORTH AMERICAN GREEN SC150" OR APPROVED EQUAL, SECURED PER MANUFACTURER'S RECOMMENDATIONS.
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LEGEND	
	(PROPERTY LINE)
	(EDGE OF PAVEMENT)
	(FENCE)
	(FIRE HYDRANT)
	(WATER VALVE RISER)
	(AC PAVEMENT)
	(EXISTING GROUND CONTOUR & ELEV.)
	7295 FINISHED GROUND CONTOUR & ELEV.
	(RETAINING WALL)
	(CONCRETE VALLEY GUTTER)
	(CONCRETE CURB WALL)
	HYDROSEED AND INSTALL EROSION CONTROL BLANKET
	LIMITS OF DISTURBANCE-ALL EXISTING ITEMS WITHIN L.O.D. ARE TO BE REMOVED (UNLESS OTHERWISE NOTED)
	HYDROSEED



triad/holmes assoc.
civil engineering
land surveying

MAMMOTH LAKES
BISHOP
REDWOOD CITY
SAN LUIS OBISPO

PREPARED & SUBMITTED BY:

DATE:

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REVISIONS: BY:

PREPARED FOR:

ORMAT

MAMMOTH GEOTHERMAL PLANT M1
RECLAMATION SITE PLAN
MAMMOTH LAKES, CA.

DATE 05/12/11
SCALE AS SHOWN
DRAWN TP / MF
JOB NO. 3030.2
PLATE 3B

84
SHEET 9 OF 9

***Reclamation Plan
Mammoth Pacific
MP-1, MP-2, M-1 Power Plants***

APPENDIX B

Retention Calculations



Mammoth Geothermal Plant M1 - Reclamation Plan

Storage Volume Calculation

Input:

Rainfall Quantity	1 in	=	0.083 ft
Percolation Rate	0 in/hr	=	0.000 ft/hr

Tributary Area

	SITE (excluding road)		
	Area		Runoff Coefficient
Roof Area	0,000 sf	0%	0.95
AC Pavement	0,000 sf	0%	0.90
Landscape	203,282 sf	100%	0.25
Total Area	203,282 sf	100%	0.25

Average Volume = Total Area * Average Runoff Coefficient * Rainfall

Storage Volume Required

4,235 cf

Storage Sizing Calculations

From AutoCad Volume Calculations

Basin A	5,130 cf
Basin B	6,551 cf

Storage Volume Provided

11,681 cf

Volume required

4,235 cf

Adequate Storage?

YES



Mammoth Geothermal Plant MP2 - Reclamation Plan

Storage Volume Calculation

Input:

Rainfall Quantity	1 in	=	0.083 ft
Percolation Rate	0 in/hr	=	0.000 ft/hr

Tributary Area

	SITE (excluding road)		
	Area		Runoff Coefficient
Roof Area	0,000 sf	0%	0.95
AC Pavement	0,000 sf	0%	0.90
Landscape	201,523 sf	100%	0.25
Total Area	201,523 sf	100%	0.25

Average Volume = Total Area * Average Runoff Coefficient * Rainfall

Storage Volume Required

4,198 cf

Storage Sizing Calculations

From AutoCad Volume Calculations

Basin A	5,012 cf
---------	----------

Storage Volume Provided

5,012 cf

Volume required

4,198 cf

Adequate Storage?

YES



Mammoth Geothermal Plant MP1 - Reclamation Plan

Storage Volume Calculation

Input:

Rainfall Quantity	1 in	=	0.083 ft
Percolation Rate	0 in/hr	=	0.000 ft/hr

Tributary Area

	SITE (excluding road)		
	Area		Runoff Coefficient
Roof Area	0,000 sf	0%	0.95
AC Pavement	0,000 sf	0%	0.90
Landscape	67,723 sf	100%	0.25
Total Area	67,723 sf	100%	0.25

Average Volume = Total Area * Average Runoff Coefficient * Rainfall

Storage Volume Required

1,411 cf

Storage Sizing Calculations

From AutoCad Volume Calculations

Basin A	1,594 cf
---------	----------

Storage Volume Provided

1,594 cf

Volume required

1,411 cf

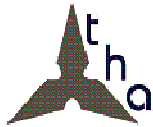
Adequate Storage?

YES

***Reclamation Plan
Mammoth Pacific
MP-1, MP-2, M-1 Power Plants***

APPENDIX C

Cost Estimate



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**ENGINEER'S PRELIMINARY COST ESTIMATE
MAMMOTH PACIFIC WELL REMOVAL
RECLAMATION PLAN**

Item Description	Quantity	Unit	Unit Cost	Total Cost
A. PRODUCTION WELL				
REMOVE PUMP AND WELL PIPING INCL. Well Drill Rig @\$6,000/day, 3 laborers @\$600/day and trucking@\$1,600/day	9	EA	40,000	\$ 360,000
REMOVE PIPING, CONTROL BUILDING AND RESEED SITE:incl. bulldozer and loader @ \$3,600/day, hydroseeder and operator @\$1,200/day and seed @\$10,000	9	EA	100,000	\$ 900,000
			SUBTOTAL:	\$ 1,260,000
B. INJECTION WELL				
RECLAIM PAD (remove piping, pump control bldg., concrete pad, and reseed)incl. bulldozer and loader @ \$3,600/day, hydroseeder and operator @\$1,200/day and seed @\$10,000	5	EA	20,000	\$ 100,000
			SUBTOTAL:	\$ 100,000
			SUBTOTAL ITEMS A-B:	\$ 1,360,000
			20% Contingencies	\$ 272,000
			TOTAL:	\$ 1,632,000



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**ENGINEER'S PRELIMINARY COST ESTIMATE
 MAMMOTH PACIFIC M1
 RECLAMATION PLAN**

Item Description	Quantity	Unit	Unit Cost	Total Cost
<u>A. GENERAL</u>				
MOBILIZATION incl equipment transport, employee per diem	1	LS	44,000	\$ 44,000
			SUBTOTAL:	\$ 44,000
<u>B. EROSION CONTROL</u>				
FILTER FENCING / STRAW WATTLE incl wattle at \$0.40 per lf and labor @\$20/hr	1	LS	1,500	\$ 1,500
EROSION CONTROL BLANKET incl. blanket @\$0.70/sf and laborers @\$40/hr for 20 hrs	28,316	SF	1	\$ 28,316
HYDROSEEDING incl. hydroseed and sprayer @ \$0.20 per sf and two operators @15/hr ea totalling \$0.19 per sf	203,282	SF	0.30	\$ 60,985
FINE GRADING (INC. SHAPING OF 2:1 SLOPES) w/ excavator \$3,000/day (w/operator) and bulldozer @ \$1,500/day for 4.5 days	1	LS	20,000	\$ 20,000
			SUBTOTAL:	\$ 110,801
<u>C. REMOVALS:</u>				
EQUIPMENT REMOVAL AND SALVAGE (incl. 150T crane @\$3,000/day for 40 days and 50T crane @ \$1,800/day for 80 days	1	LS	170,000	\$ 170,000
CONCRETE DEMOLITION and DISPOSAL incl. excavator and loader @ \$43/cy and trucking and disposal @ \$20/cy	1,060	CY	65	\$ 68,900
PAVING AND BASE incl. bulldozer and loader @ \$43/cy and trucking and disposal @ \$20/cy	430	CY	63	\$ 27,090
UNDERGROUND RETENTION BASIN incl. excavator and loader @ \$4,400/day and trucking and disposal @ \$20/cy	1	LS	50,000	\$ 50,000
			SUBTOTAL:	\$ 315,990
SUBTOTAL ITEMS A-C:				\$ 470,791
20% Contingencies				\$ 94,158
TOTAL:				\$ 564,949



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**ENGINEER'S PRELIMINARY COST ESTIMATE
 MAMMOTH PACIFIC MP1
 RECLAMATION PLAN**

Item Description	Quantity	Unit	Unit Cost	Total Cost
<u>A. GENERAL</u>				
MOBILIZATION incl equipment transport, employee per diem	1	LS	44,000	\$ 44,000
			SUBTOTAL:	\$ 44,000
<u>B. EROSION CONTROL</u>				
FILTER FENCING / STRAW WATTLE incl wattle at \$0.40 per lf and labor @\$20/hr	1	LS	1,500	\$ 1,500
EROSION CONTROL BLANKET incl. blanket @\$0.70/sf and laborers @\$40/hr for 20 hrs	4,553	SF	1	\$ 4,553
HYDROSEEDING incl. hydroseed and sprayer @ \$0.20 per sf and two operators @15/hr ea totalling \$0.19 per sf	64,678	SF	0.30	\$ 19,403
FINE GRADING (INC. SHAPING OF 2:1 SLOPES) w/ excavator \$3,000/day (w/operator) and bulldozer @ \$1,500/day for 4.5 days	1	LS	20,000	\$ 20,000
			SUBTOTAL:	\$ 25,456
<u>C. REMOVALS:</u>				
EQUIPMENT REMOVAL AND SALVAGE (incl. 150T crane @\$3,000/day for 20 days and 50T crane @ \$1,800/day for 40 days	1	LS	75,000	\$ 75,000
CONCRETE DEMOLITION and DISPOSAL incl. excavator and loader @ \$43/cy and trucking and disposal @ \$20/cy	1,797	CY	63	\$ 113,211
PAVING AND BASE incl. bulldozer and loader @ \$43/cy and trucking and disposal @ \$20/cy	622	CY	63	\$ 39,186
			SUBTOTAL:	\$ 227,397
SUBTOTAL ITEMS A-C:				\$ 296,853
20% Contingencies				\$ 59,371
TOTAL:				\$ 356,224

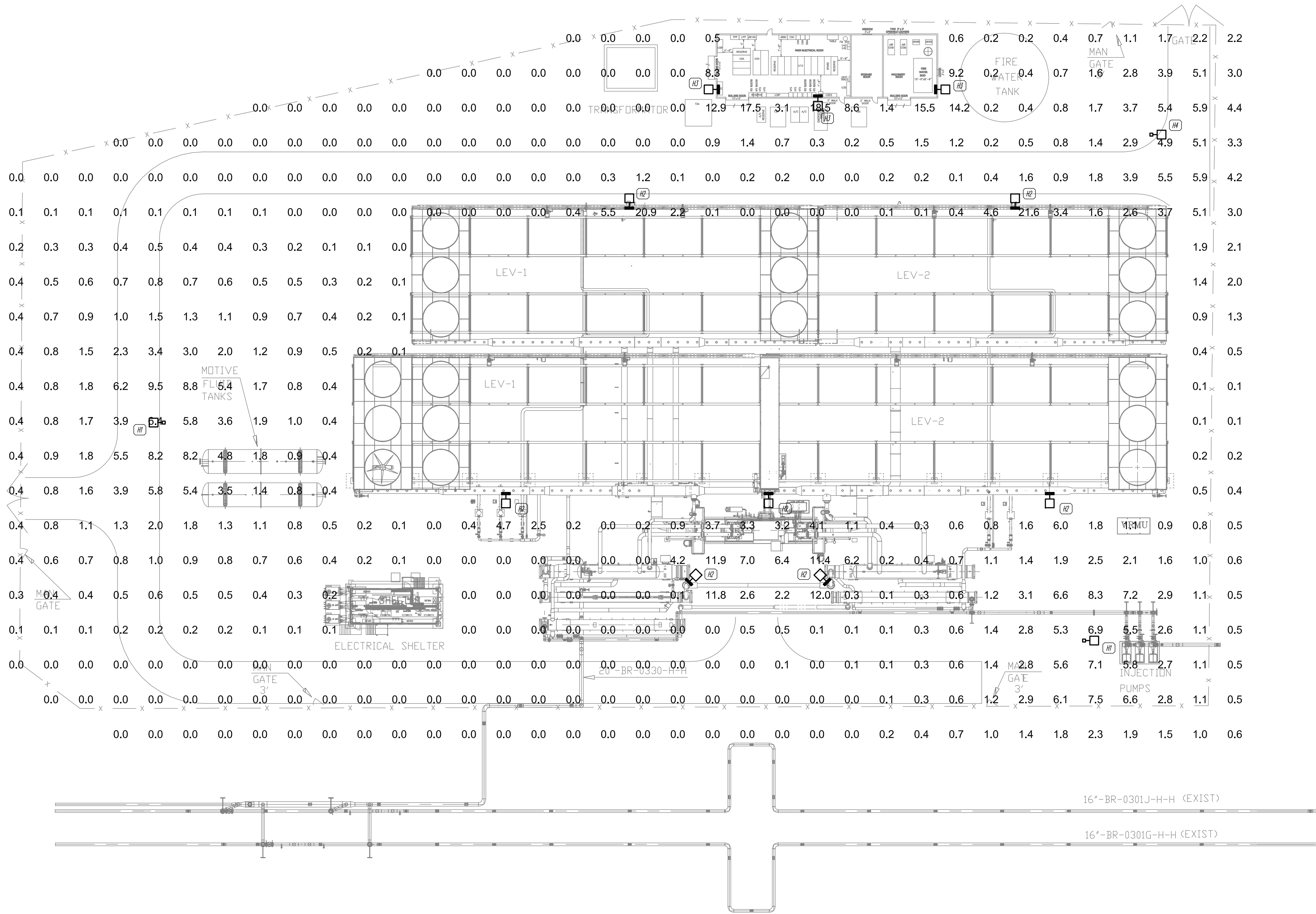


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**ENGINEER'S PRELIMINARY COST ESTIMATE
MAMMOTH PACIFIC MP2
RECLAMATION PLAN**

Item Description	Quantity	Unit	Unit Cost	Total Cost
<u>A. GENERAL</u>				
MOBILIZATION incl equipment transport, employee per diem	1	LS	44,000	\$ 44,000
			SUBTOTAL:	\$ 44,000
<u>B. EROSION CONTROL</u>				
FILTER FENCING / STRAW WATTLE incl wattle at \$0.40 per lf and labor @\$20/hr	1	LS	1,500	\$ 1,500
EROSION CONTROL BLANKET incl. blanket @\$0.70/sf and laborers @\$40/hr for 34 hrs	2,653	SF	1	\$ 2,653
HYDROSEEDING incl. hydroseed and sprayer @ \$0.20 per sf and two operators @15/hr ea totalling \$0.19 per sf	201,523	SF	0.30	\$ 60,457
FINE GRADING (INC. SHAPING OF 2:1 SLOPES) w/ excavator \$3,000/day (w/operator) and bulldozer @ \$1,500/day for 4.5 days	1	LS	20,000	\$ 20,000
			SUBTOTAL:	\$ 64,610
<u>C. REMOVALS:</u>				
EQUIPMENT REMOVAL AND SALVAGE (incl. 150T crane @\$3,000/day for 40 days and 50T crane @ \$1,800/day for 80 days	1	LS	150,000	\$ 150,000
CONCRETE DEMOLITION and DISPOSAL incl. excavator and loader @ \$43/cy and trucking and disposal @ \$20/cy	3,377	CY	63	\$ 212,751
PAVING AND BASE incl. bulldozer and loader @ \$43/cy and trucking and disposal @ \$20/cy	2,300	CY	63	\$ 144,900
			SUBTOTAL:	\$ 507,651
SUBTOTAL ITEMS A-C:				\$ 616,261
20% Contingencies				\$ 123,252
TOTAL:				\$ 739,513

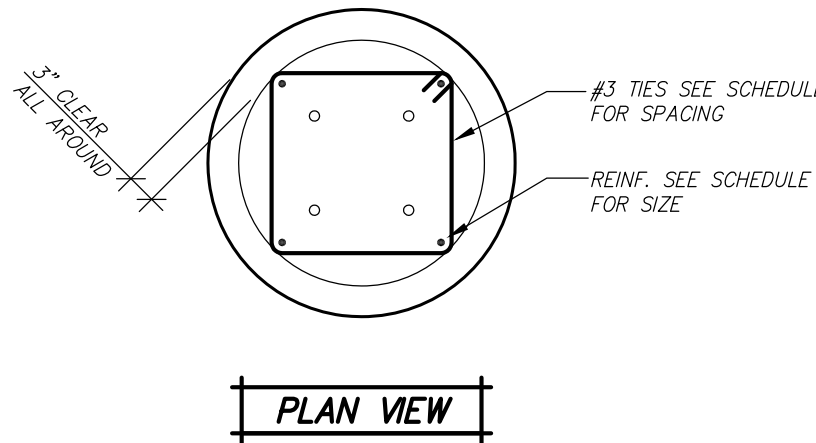
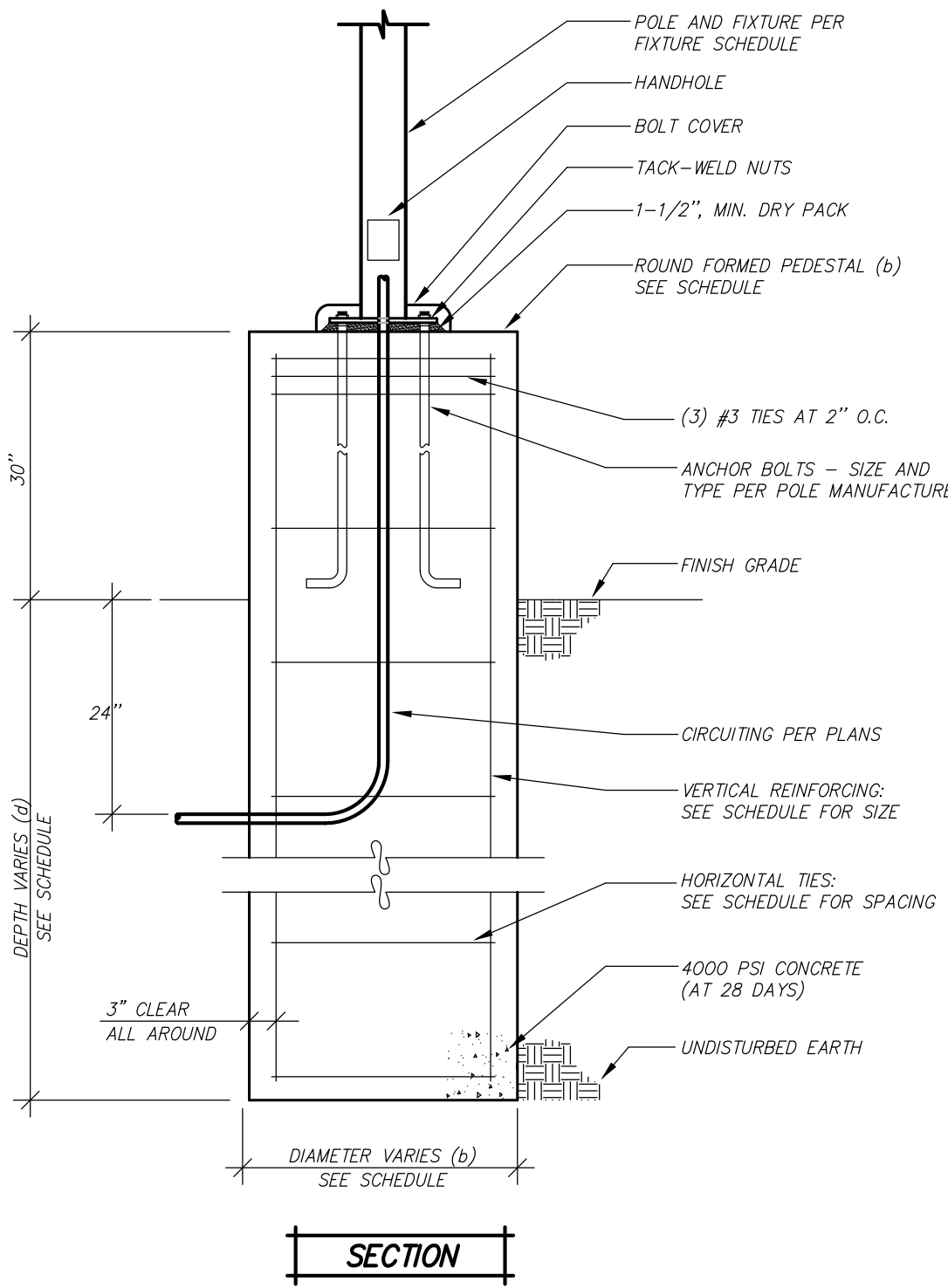
- Existing lighting associated with the project shall meet the requirements of Mono County General Plan Chapter 23.030 applicability section B2.
- In addition, any H2 and H3 proposed lighting fixtures shall provide a full visor/shield (as demonstrated on Sheet 2) to comply with Mono County Dark Sky Regulations.



A
E3.4
SITE PHOTOMETRIC PLAN
SCALE: 1" = 20'-0"

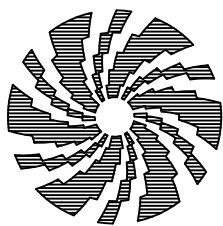
POLE BASE SCHEDULE				
POLE	POLE HEIGHT	DIAMETER (b)	DEPTH (d)	REINFORCING
P01	UP TO 12'-0"	18" DIAMETER	4.25'	(4) #5 VERT, #3 TIES AT 9" O.C.
P02	UP TO 12'-0"	24" DIAMETER	4.00'	(4) #5 VERT, #3 TIES AT 12" O.C.
P03	UP TO 16'-0"	18" DIAMETER	4.75'	(4) #5 VERT, #3 TIES AT 9" O.C.
P04	UP TO 16'-0"	24" DIAMETER	4.25'	(4) #5 VERT, #3 TIES AT 12" O.C.
P05	UP TO 20'-0"	24" DIAMETER	4.75'	(4) #5 VERT, #3 TIES AT 12" O.C.
P06	UP TO 20'-0"	30" DIAMETER	4.50'	(4) #5 VERT, #3 TIES AT 15" O.C.
P07	UP TO 25'-0"	24" DIAMETER	5.50'	(4) #5 VERT, #3 TIES AT 12" O.C.
P08	UP TO 25'-0"	30" DIAMETER	5.00'	(4) #5 VERT, #3 TIES AT 15" O.C.
P09	UP TO 30'-0"	24" DIAMETER	6.00'	(4) #5 VERT, #3 TIES AT 12" O.C.
P10	UP TO 30'-0"	30" DIAMETER	5.50'	(4) #6 VERT, #3 TIES AT 15" O.C.
P11	UP TO 35'-0"	24" DIAMETER	6.50'	(4) #6 VERT, #3 TIES AT 12" O.C.
P12	UP TO 35'-0"	30" DIAMETER	6.00'	(4) #6 VERT, #3 TIES AT 15" O.C.

DESIGN CRITERIA	
- CODE: 2006 INTERNATIONAL BUILDING CODE	
- WIND LOAD: 105 MPH, EXPOSURE C	
- ALLOWABLE LATERAL BEARING PRESSURE: 266PSF/FT BASE LATERAL BEARING PRESSURE: 100PSF/FT 1/3 INCREASE TAKEN FOR WIND OR SEISMIC LOADS (IBC TABLE 1804.2, FOOTNOTE D) 2X INCREASE, NOT ADVERSELY AFFECTED BY 1/2" MOVEMENT (IBC 1804.3.1)	
- NONCONSTRAINED DESIGN ASSUMED	
- EFFECTIVE PROJECTED AREA (EPA): (2) FIXTURES X 3.0 SQ. FT. = 6 SQ. FT. (2 FIXTURES AT A 180 DEGREE ORIENTATION)	
- 4000 PSI CONCRETE (AT 28 DAYS) WITH 6% AIR ENTRAINMENT	



B
E3.4
POLE BASE DETAIL - PEDESTAL
SCALE: NOT TO SCALE

Date	Drawing Number	Revision	Drawing Creator



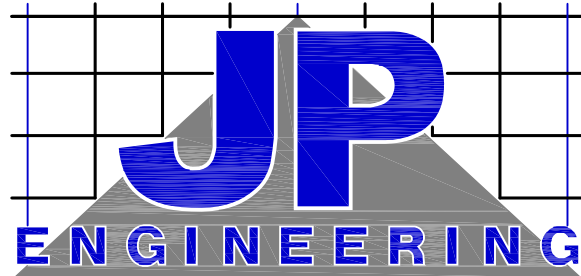
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Consultant

Professional Seal

E3.4

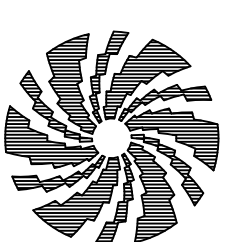
SITE PHOTOMETRIC
PLAN

20 September 2011
JP Engineering Job #11094

LIGHTING FIXTURE SCHEDULE			
LIGHTING FIXTURE CATALOG NUMBERS ARE SERIES TYPE ONLY. PROVIDE TRIMS, BALLASTS, MOUNTING EQUIPMENT, FITTINGS AND LAMPS AS REQUIRED BY THE SPECIFICATIONS AND PROJECT CONDITIONS FOR A COMPLETE INSTALLATION. THIS IS NOT A STANDALONE SCHEDULE AND FIXTURES MUST INCORPORATE ALL WORK INDICATED OR IMPLIED THROUGHOUT THE DRAWINGS AND SPECIFICATIONS.			
TYPE	SYMBOL	SKETCH	DESCRIPTION AND MANUFACTURER
H1			METAL HALIDE, 1-LAMP, 1-HEAD POLE MOUNTED LUMINAIRE, FLAT LENS, HIGH POWER FACTOR BALLAST, TYPE 5 OPTICS, 25' SQUARE POLE. REFERENCE POLE BASE DETAIL B/E3.4. MOUNTING HEIGHT: 25'-0" LAMP: (1) 400 PSMH VOLTAGE: 480V MANUFACTURER: LITHONIA: KAD 400M R55 480 SCWA SPD09 LPI / SSS 25 4G SUBSTITUTIONS: ○ OR EQUAL ● SUBJECT TO REVIEW ○ NO EQUAL
H2			CLASS 1, DIV. 2, METAL HALIDE, 1-LAMP, 1-HEAD BRACKET MOUNTED FLOOD, FLAT LENS, HIGH POWER FACTOR BALLAST. PROVIDE A FULL VISOR TO COMPLY WITH MONO COUNTY DARK SKY REGULATIONS. MOUNTING HEIGHT: 14'-0" LAMP: (1) 250 PSMH VOLTAGE: 480V MANUFACTURER: LITHONIA: HFL 250M RA2 480 SCWA TFLV LPI SUBSTITUTIONS: ○ OR EQUAL ● SUBJECT TO REVIEW ○ NO EQUAL
H3			METAL HALIDE, 1-LAMP, 1-HEAD BRACKET MOUNTED FLOOD, FLAT LENS, HIGH POWER FACTOR BALLAST. PROVIDE A FULL VISOR TO COMPLY WITH MONO COUNTY DARK SKY REGULATIONS. MOUNTING HEIGHT: 14'-0" LAMP: (1) 250 PSMH VOLTAGE: 480V MANUFACTURER: LITHONIA: TFL 250M RA2 480 SCWA TFLV LPI SUBSTITUTIONS: ○ OR EQUAL ● SUBJECT TO REVIEW ○ NO EQUAL
H4			METAL HALIDE, 1-LAMP, 1-HEAD POLE MOUNTED LUMINAIRE, FLAT LENS, HIGH POWER FACTOR BALLAST, TYPE 2 OPTICS, 25' SQUARE POLE. REFERENCE POLE BASE DETAIL B/E3.4. MOUNTING HEIGHT: 25'-0" LAMP: (1) 400 PSMH VOLTAGE: 480V MANUFACTURER: LITHONIA: KAD 400M R2 480 SCWA SPD09 LPI / SSS 25 4G SUBSTITUTIONS: ○ OR EQUAL ● SUBJECT TO REVIEW ○ NO EQUAL

MASTER SYMBOL LIST					
SIGNAL OUTLETS		RECEPTACLES		ABBREVIATIONS	
▼	TELEPHONE: 4S BOX WITH SINGLE GANG MUD RING UON, +18" AFF UON	⊖ ⊖	DUPLEX: 20A, 125V, NEMA 5-20, +18" AFF	⌄	CENTERLINE
⌵	TELEPHONE: 4S BOX WITH SINGLE GANG MUD RING UON, WALL MOUNT +54" AFF UON	⊖ ⊖	DOUBLE DUPLEX: 20A, 125V, NEMA 5-20, +18" AFF	AFF	ABOVE FINISHED FLOOR
▽	DATA: 4S BOX WITH SINGLE GANG MUD RING UON, +18" AFF UON	⊖ ⊖	HALF SWITCHED DUPLEX: 20A, 125V, NEMA 5-20, +18" AFF (TOP HALF SWITCHED)	AIC	AMPERES INTERRUPTING CAPACITY
▼	VOICE/DATA: 4S BOX WITH SINGLE GANG MUD RING UON, +18" AFF UON	⇒ ⇒	DUPLEX GFCI: 20A, 125V, GFCI, NEMA 5-20 GFR, +18" AFF	AFC	ABOVE FINISH CEILING
⌵	TELEVISION: 4S BOX WITH SINGLE GANG MUD RING UON, +18" AFF UON	⊖ ⊖	DUPLEX I.G.: 20A, 125V, ISO. GND., NEMA 5-20 IG +18" AFF (WHITE WITH ORANGE TRIANGLE, UON)	BMS	BUILDING MANAGEMENT SYSTEM
⌵	CAMERA: 4S BOX WITH SINGLE GANG MUD RING UON, CEILING MOUNTED UON	⊖ ⊖	DOUBLE DUPLEX I.G.: 20A, 125V, ISO. GND., NEMA 5-20 IG +18" AFF (WHITE WITH ORANGE TRIANGLE, UON)	C	CONDUIT
⌵	MICROPHONE: 4S BOX WITH SINGLE GANG MUD RING UON, +18" AFF UON	⊖ ⊖	SPECIAL RECEPTACLE - AS INDICATED ON PLANS, +18" AFF	CB	CIRCUIT BREAKER
		NOTE: DIAMOND SYMBOLS INDICATES DEDICATED CIRCUIT.		CLG	CEILING
SWITCHES		EQUIPMENT		CIR	CIRCUIT
S	SINGLE POLE: 20A, 120/277V, +48" TO TOP UON	⌵	SWITCHBOARD	DPDT	DOUBLE POLE DOUBLE THROW
S ₂	TWO POLE: 20A, 120/277V, +48" TO TOP UON	■	PANELBOARD: SURFACE MOUNTED	DPST	DOUBLE POLE SINGLE THROW
S ₃	THREE WAY: 20A, 120/277V, +48" TO TOP UON	■	PANELBOARD: FLUSH MOUNTED	(E)	EXISTING TO REMAIN
S ₄	FOUR WAY: 20A, 120/277V, +48" TO TOP UON	⌵	TRANSFORMER	ELEV	ELEVATOR
S _x	X INDICATES EMERGENCY CIRCUIT	⌵	RELAY (120V COIL , STEP DN XFMR IF REQUIRED, UON)	EMT	ELECTRICAL METALLIC TUBING
S _p	P INDICATES PILOT LIGHT (LIGHTED WHEN ON)	⌵	CONTACTOR (120V COIL, STEP DN XFMR IF REQUIRED, UON)	EPO	EMERGENCY POWER OFF SYSTEM
S _l	L INDICATES PILOT LOCATOR (LIGHTED WHEN OFF)	⌵	COMBINATION MAGNETIC STARTER/FUSED DISCONNECT	FBO	FURNISHED BY OTHERS
S _k	K INDICATES KEY OPERATED SWITCH	⌵	NON-FUSIBLE DISCONNECT SWITCH	FPEN	FUSE PER EQUIPMENT NAMEPLATE
S _M	MANUAL MOTOR STARTER: 20A, 120/277V, POLES AND HEATERS AS REQUIRED	⌵	FUSIBLE DISCONNECT SWITCH	FLUOR	FLUORESCENT
S _{MC}	MOMENTARY CONTACT: 20A, 120/277V, SPDT CENTER NORMALLY OFF UON, +48" TO TOP UON	⌵	PULLBOX: SIZE AS REQUIRED BY NEC	FU	FUSE: DUAL-ELEMENT, TIME DELAY
D	DIMMER: 600 WATT UON, ELECTRONIC SLIDER, WITH ON/OFF TOGGLE, +48" TO TOP UON (PLANS SHALL INDICATE TYPE: FLUOR, INCAND OR LOW-VOLTAGE)	⌵	JUNCTION BOX: SIZE AS REQUIRED BY NEC	GFI/GFCI	GROUND FAULT INTERRUPTER
◆	MOTION/OCCUPANCY SENSOR SWITCH WITH OFF-AUTO SELECTOR - WALL MOUNTED AT +48" TO TOP UON	⌵	SURFACE RACEWAY WITH OR WITHOUT DEVICES	GND	GROUND
OS = 360 OS = 180	ULTRASONIC MOTION/OCCUPANCY SENSOR SWITCH CEILING MOUNTED ARROWS INDICATE DIRECTION AND COVERAGE PROVIDE WITH POWER PACK PER MANUFACTURERS REQUIREMENTS	⌵	TELEPOWER POLE	HOA	HAND-OFF-AUTOMATIC
PE	PHOTO ELECTRIC SWITCH: 1600VA UON	⌵	CIRCUITING	HID	HIGH INTENSITY DISCHARGE
METHODS		—	CONDUIT IN WALL OR ABOVE CEILING	IG	ISOLATED GROUND
⌵, S _x	SHADING INDICATES: FIXTURE, OUTLET, EQUIPMENT, ETC. ON EMERGENCY 'X' OR NIGHT LIGHT 'NL' CIRCUIT	— — —	CONDUIT IN FLOOR OR BELOW GRADE	INCAND	INCANDESCENT
SS⌵	DEVICE MOUNTED IN MULTIPLE UNDER COMMON COVER. MAXIMUM HEIGHT ON WALL SHALL BE +48" TO TOP UON		METAL CLAD CABLE (MC)	K	kcmil (300K = 300 kcmil)
⌵, ⌵, ⌵	DEVICES MOUNTED IN OR ABOVE COUNTER/BACKSPLASH: MAXIMUM HEIGHT ON WALLS SHALL BE +48" TO TOP UON	—OH—	OVERHEAD SERVICE	LTG	LIGHTING
⌵, ⌵, ⌵	FLUSH FLOOR MOUNTED WIRING DEVICES	—P—	PRIMARY	LV	LOW VOLTAGE
⌵, ⌵, ⌵	FLUSH FLOOR MOUNTED WIRING DEVICES IN SINGLE MULTI-COMPARTMENT BOX	—S—	SECONDARY	MCP	MOTOR CIRCUIT PROTECTOR
⌵, ⌵, ⌵	RECEPTACLE MOUNTED IN CEILING OR CASEWORK	—T—	TELEPHONE	MC	MULTI-CONDUCTOR CABLE
⌵, ⌵, ⌵	FINE DASHING INDICATES EXISTING EQUIPMENT AND DEVICES TO BE REMOVED	—TV—	TELEVISION	(N)	NEW
		— — —	LOW VOLTAGE AND/OR CONTROL CIRCUITING	NC	NORMALLY CLOSED
		—xx—xx—	EMERGENCY CIRCUIT	NEUT	NEUTRAL
		—	STUB OUT: MARK AND CAP (SITE)	NL	NIGHT LIGHT
		—	CIRCUITING UP OR DOWN	NO	NORMALLY OPEN
		⌵	TICS = NO. OF #12 WIRES (UON) IF MORE THAN TWO WITHIN CONDUIT OR MC	NTS	NOT TO SCALE
		⌵	ISOLATED GROUNDING CONDUCTOR	PNL	PANEL
		⌵	GROUNDING CONDUCTOR	PVC	POLYVINYL CHLORIDE CONDUIT
		⌵	NEUTRAL CONDUCTOR	(R)	EXISTING TO BE RELOCATED
		⌵	PHASE CONDUCTOR(S)	RAC	RIGID ALUMINUM CONDUIT
		⌵	HOMERUN DESIGNATION	RSC	RIGID STEEL CONDUIT
		⌵	PHASE CONDUCTOR(S)	SLD	SINGLE LINE DIAGRAM
		⌵	GROUNDING CONDUCTOR	SO	SEAL OFF
		⌵	ISOLATED GROUNDING CONDUCTOR	SPDT	SINGLE POLE DOUBLE THROW
		⌵	NEUTRAL CONDUCTOR	SPEN	SIZE PER EQUIPMENT NAMEPLATE
		⌵	PANEL DESIGNATION	SPST	SINGLE POLE SINGLE THROW
DESIGNATIONS		MISCELLANEOUS			
F1	LIGHT FIXTURE: F1 = TYPE (SEE FIXTURE SCHEDULE)	①	THERMOSTAT: AT +54" TO TOP UON (OR PER MECH PLANS)	TEL	TELECOM
2	SHEET NOTE	⌵	EXHAUST FAN: FRACTIONAL HORSEPOWER	TYP	TYPICAL
Δ	REVISION DELTA: NUMBER REPRESENTS REVISION	⌵	MOTOR: NUMBER = HORSEPOWER	UNSW	UNSWITCHED
AC 1	MECHANICAL AND PLUMBING EQUIPMENT	SIGN	SIGNAGE CONNECTION	UON	UNLESS OTHERWISE NOTED
A 5	MISCELLANEOUS: THESE AND OTHER SYMBOLS AS INDICATED IN TABLES AND SCHEDULES ON THE PLANS.	⌵	SHUNT TRIP STATION: +7'-6" AFF, 12" RED TRIANGLE, UON	WP	WEATHERPROOF (NEMA 3R)
		⌵	CONTROL STATION: AT +48" TO TOP UON	WT	WATERTIGHT
		⌵	DUAL LEVEL LIGHTING CONTROL SWITCH 'a' = CENTER (1) LAMP SWITCH 'b' = OUTER (2) LAMPS	(X)	EXISTING TO BE REMOVED
		⌵	TRANSFORMER	XFMR	TRANSFORMER
		⌵	EXPLOSION PROOF	XP	EXPLOSION PROOF
		NOTE: THIS IS A MASTER SYMBOL LIST. ALL SYMBOLS SHOWN MAY NOT BE USED WITHIN THIS SET OF PLANS			

Date	Drawing Number	Revision	Drawing Creator



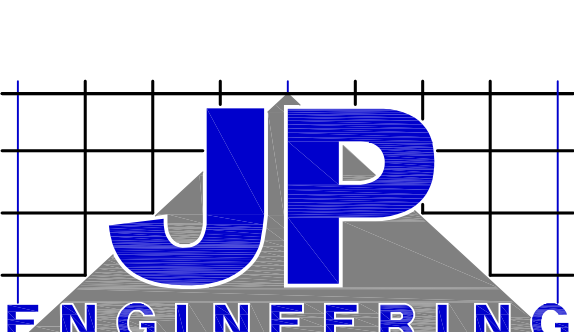
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Mammoth Lakes
Geothermal Project

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Consultant

Professional Seal

E0.1

SYMBOL LIST, LIGHTING
FIXTURE SCHEDULE AND
DRAWING SCHEDULE

20 September 2011
JP Engineering Job #11094

Mr. Ron Leiken
Ormat, Inc.
6225 Neil Road, Suite 300
Reno, NV 89511

Project No.: 0478-10-5
September 7, 2012

RE: Geological EIR Review Comments
M-1 Replacement Power Plant
Mono County, California

Dear Mr. Leiken:

Black Eagle Consulting, Inc. (BEC) has reviewed portions of the Draft Environmental Impact Report (DEIRs) for proposed relocation of the existing M-1 geothermal power plant. Black Eagle Consulting, Inc. would like to provide additional information in support of Mammoth Pacific's request for variances from the two required setbacks; 100 feet from the south line and 500 feet from the surface watercourse, west of the proposed new M-1 site. We would also like to address the requirement to bury transmission lines in the highway scenic corridor.

Black Eagle personnel have provided geotechnical exploration and expertise on the Casa Diablo geothermal power plant since the original Magma plant (current M-1 site) in the mid 1970's. We conducted extensive geologic/geotechnical investigations for the PLES I and MP II projects in 1988 and have been working to find a suitable replacement site for M-1 since 2008. This latter effort included geotechnical investigations for three sites with additional exploration and readjustment of equipment locations within the selected (currently proposed) site in order to minimize risks to both the plant and its operating personnel.

A number of geologic hazards are inherent to areas in and around geothermal activity. Faults, steam vents, warm seeps, high soil temperatures, voids, and highly compressible subsurface soils are common. Ground shaking from off-site earthquakes can result in renewal or shifting of subsurface geothermal conduits, producing hot spots and steam vents in areas that were previously cool. An exiting building at the power plant had to be relocated (per our recommendation) when hot ground developed under the floor slab, following the earthquakes of 1980.

Because of our extensive experience at the Casa Diablo resource, we are very familiar with the geologic conditions at the power plant complex. The proposed M-1 replacement site has been carefully optimized as the best solution to the inherent geological and geotechnical constraints. This includes using a split level pad to reduce the depth of cut on the north and placing the required transmission line along existing roads and pipe racks just north of the site. Geological and geotechnical constraints are shown on the attached Figure 1 (Geological and Geotechnical Constraint Map). Our specific concerns are summarized below:

- Moving the M-1 replacement plant to the north (away from the south property line) would require deeper cuts that would encounter extremely hot soil as well as active steam vents and associated weak soils. An older (bedrock) east-west fault is also suspected north of the proposed replacement site. These conditions are hazardous to both the personnel and the plant equipment. Moving north also greatly increases the size of the cut slope and raises the plant elevation so that both would be more visible from US Highway 395, although that is not necessarily a geotechnical issue. Cutting the slope would require some blasting, which is of geotechnical concern.



- Moving the plant to the east has all of the problems of moving north, but also overlaps the existing MP II.
- Moving the site to the south gets it closer to the property line and places critical structures on highly compressible soils, unsuitable for conventional foundation support or even placement of the necessary fill.
- Moving the site to the west would bring it even closer to the intermittent stream as well as an active, unnamed fault located about 0.1 miles to the west of the western boundary of the proposed M-1 replacement site. There are also active steam vents associated with this fault that must be avoided.
- Underground transmission lines require properly designed thermal backfill to reduce heat build up and consequent loss of electrical conductivity or even melting of the conduit. On the plant site this can best be handled by locating the lines in the fill side of the pad and using thermal backfill. A cross country underground transmission line will almost certainly cross warm to hot areas in the soil where heat build up cannot be mitigated with thermal backfill.

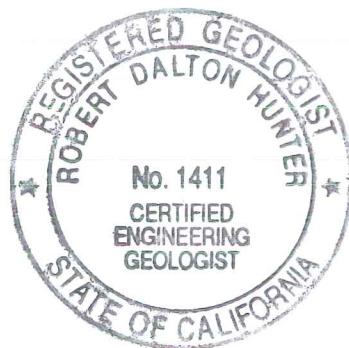
In summary, we agree that the proposed location of the M-1 plant is the best location on the property in terms of the environmental and safety issues addressed above, and support that Mono County grant the variances to the setback requirements for the proposed plant site and for the above-ground transmission line alignments.

Sincerely,

Black Eagle Consulting, Inc.



Dal Hunter, Ph.D., C.E.G.
Vice President



exp 3.31.12

Attachments: Figure 1 – Geological and Geotechnical Constraint Map

DH:lskw

Copies to: Addressee (2 copies and PDF via email)

References

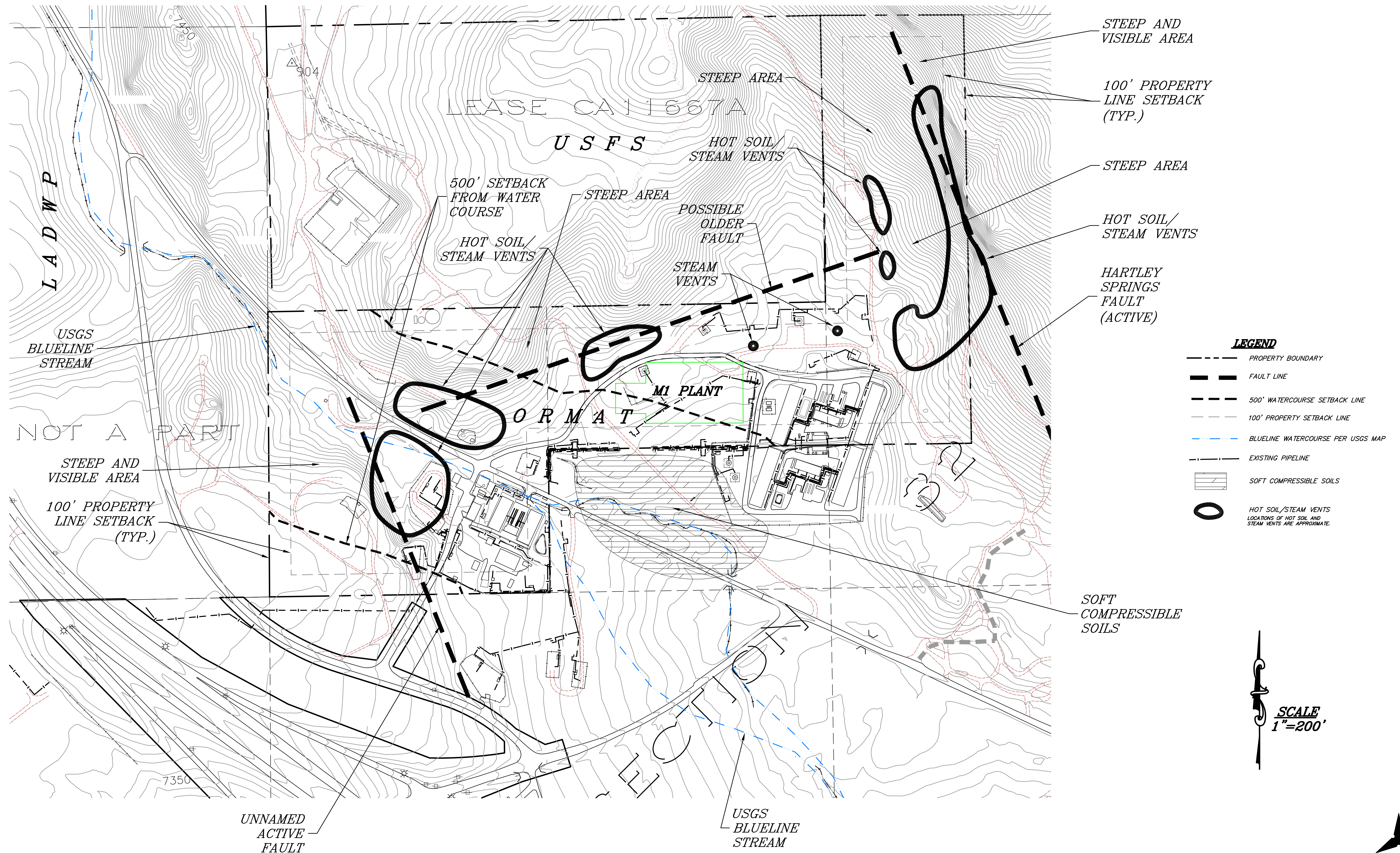
Black Eagle Consulting, Inc. (BEC), 2011, Geotechnical Investigation, M-1 Replacement Power Plant on the Magma Lease, Central Site, Mono County, California, Private Consultant Report.

SEA Consulting Engineers, Inc., 1988, *Geotechnical, Geologic and Seismic Hazards Investigation for the Proposed Mammoth Pacific (MP-11) and Pacific Lighting Systems (PLES-1) Geothermal Power Plants.*



M1 CONSTRAINTS EXHIBIT MAP

ORMAT GEOTHERMAL – MAMMOTH LAKES, CA





March 26, 2012

Dan Lyster
Director
Mono County Economic Development Department
P.O. Box 2415
Mammoth Lakes, CA 93546

Scott Burns
Director
Mono County Community Development Department
P.O. Box 347
Mammoth Lakes, CA 93546

**Subject: Mammoth Pacific I Replacement Project
Comment on Revised Draft EIR – Project Benefits**

Dear Director Lyster and Director Burns:

The purpose of this letter is to provide a brief summary of the Mammoth Pacific, L.P. I Replacement Project (Project) as well as a summary of the environmental (and economic and social) benefits to help ensure the Planning Commission and Board of Supervisors have an understanding of the purposes of the Project as they study the Draft Environmental Impact Report (DEIR). The DEIR, of course, includes a complete project description under the “project description” section and more specifically as needed in the following sections of that document. Some of the project benefits are also mentioned in the DEIR, but this letter concisely lists some of the benefits.

Ormat representatives will appear at the Planning Commission and Board of Supervisor (if needed) hearing(s) to provide an overview of the Project and to answer any questions that may arise.

We respectfully request that you include this letter in the Final EIR on the project so that it will be available to Mono County officials and the general public.

PURPOSE AND DESCRIPTION OF THE M-1 PROJECT

Mammoth Pacific, L.P. is a wholly owned subsidiary of Ormat Technologies, Inc. Ormat is a pure-play clean energy company that has 500 employees in the United States. Its operations are consistent with policies at various levels of government, including Mono County, that encourage the safe development of alternative energy resources as a means of reducing the country's dependence on fossil fuels.

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As described in the DEIR, Ormat, by and through its subsidiary Mammoth Pacific, L.P. (MPLP), proposes to replace the existing MP-1 (also called G-1) power plant at the Casa Diablo geothermal complex with an advanced generation plant called M-1. The MP-1 plant will be torn down, decommissioned and the site reclaimed after the new plant is on-line. The new plant will be constructed on land owned by MPLP immediately adjacent to and on the same parcel as the existing plant.

The MP-1 plant was the first geothermal plant constructed at Casa Diablo. It commenced operations in 1984 after receiving a conditional use permit from Mono County. It has been in continuous operation since that time. It was one of the first geothermal plants in the United States utilizing binary cycle technology. It was therefore *first generation* technology. Geothermal technology has advanced significantly in the last 28 years.

As a result of *advanced generation* technologies, the new M-1 plant will utilize the geothermal resource in a manner that will result in the production of approximately 15 percent more energy with the same amount of resource used by the existing plants. There will be no increase in the amount of the geothermal fluid used in the process. The plant will consist of one Ormat Energy Converter (OEC). An OEC is proprietary modular binary geothermal power generation equipment manufactured by Ormat that includes a vaporizer, turbines, generators, an air-cooled condenser (the cooling system), a pre-heater, pumps and piping. There will be no additional wells drilled. The only new pipelines will consist of pipes on the MPLP property to connect with existing pipes connected to the well-field. The expected life of the new plant is 30 years.

PROJECT BENEFITS

Mono County's alternative energy policies state that the County may request the applicant to provide information on economic benefits to the community of a geothermal development project. Pursuant to the County's request, that information was provided in the form of a study by the independent economic consulting firm of Wahlstrom and Associates. Wahlstrom's report, which has been submitted for the record, is entitled "*Economic Benefits of proposed M-1 Geothermal Power Replacement Plant, Mono County, California.*" It shows that the project will provide some \$46.1 million of new investment in materials, equipment and services. Ormat submitted for the record an additional analysis entitled "*Supplemental Economic and Societal Benefits Report: Geothermal Operations in the Casa Diablo Area.*" This report summarizes the economic, technologic and other benefits of geothermal development generally at Casa Diablo.

The benefits of the replacement project include, but are not limited to, the following:

- More efficient production of renewable, clean green energy from the same resource without significant environmental effects.

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- Construction jobs utilizing local contractors to the extent possible.
- Continuation of stable, long-term well-paying energy/green jobs in Mono County.
- Increased revenues to state and local governments in the form of property, sales, income and employment taxes, generated both by the new plant's increased efficiencies and its longer life span.
- Quieter operations as a result of the advanced generation technologies.
- Substantially less fugitive emissions than with the existing plant.
- The working pressure of the OEC is lower than with the existing system, resulting in reduced leakage of the working fluid and increased safety.
- Substantially less lubricating oil because the new design requires less oil, is more leak-resistant, and has fewer moving parts.
- Substantially reduced fire hazard for the reasons listed in the DEIR, including a reduced on-site need for flammable working fluid and up-graded fire protection system utilized in the project design.
- To the extent electricity production is increased and sent to the grid, it will offset emissions of pollutants and green-houses gases that would otherwise be produced by conventional fossil fuel plants elsewhere on the grid.
- There have been no documented significant adverse environmental effects from the existing geothermal operation at Casa Diablo. A more efficient and safe plant utilizing advanced generation technologies has also not been shown to have any potential effects.

As requested above, please include this letter in the Final EIR on the project so that it will be available to Mono County officials and the general public, and also please place a copy of this in the administrative record for the M-1 project.

Very truly yours,

Ron Leiken, QEP
Environmental/Regulatory Affairs Administrator

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September 27, 2011

Dan Lyster
Economic Development Department
PO Box 2415
Mammoth Lakes, CA 93546

Subject: Supplemental Report of Economic Benefits of Geothermal Operations

Dear Mr. Lyster:

With respect to its application for the construction of the M-1 geothermal replacement plant, Ormat provided the County with the report by Wahlstrom & Associates entitled "*Economic Benefits of Proposed M-1 Geothermal Power Replacement Plant, Mono County, California.*" That report shows that the M-1 project will provide some \$46.1 million of new investment in materials, equipment and services. That would obviously be a substantial economic benefit to Mono County and the broader local community. The report was provided pursuant to applicable provisions of the Mono County General Plan and at the request of the Mono County Director of Community Development.

Ormat has also compiled the attached supplemental report. This report summarizes the economic and related benefits of geothermal development generally at the Casa Diablo site. We respectfully request, as we did with the former report, that you add it to the administrative record of both the M-1 and CD-4 projects.

Thank you for your consideration of this matter.

Very truly yours,

Ron Leiken, QEP
Environmental/Regulatory Affairs Administrator

Cc: Scott Burns
Mono County Director of Community Development

Stacey Simon
Mono County, Assistant County Counsel

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SUPPLEMENTAL ECONOMIC AND SOCIETAL BENEFITS REPORT: GEOTHERMAL OPERATIONS IN THE CASA DIABLO AREA MONO COUNTY

This report is a supplement to the report prepared by the independent economic consulting firm Wahlstrom & Associates dated September 6, 2011, and entitled *Economic Benefits of Proposed M-1 Geothermal Power Replacement Plan, Mono County California*. The Wahlstrom report was previously provided to Mono County in connection with the consideration of the M-1 geothermal replacement plant application. That report was specific to the economic benefits of the M-1 project. This report summarizes the economic benefits of geothermal development generally in the Casa Diablo area of Mono County. This report is submitted on behalf of Mammoth Pacific, LP, the operator of the Casa Diablo projects.

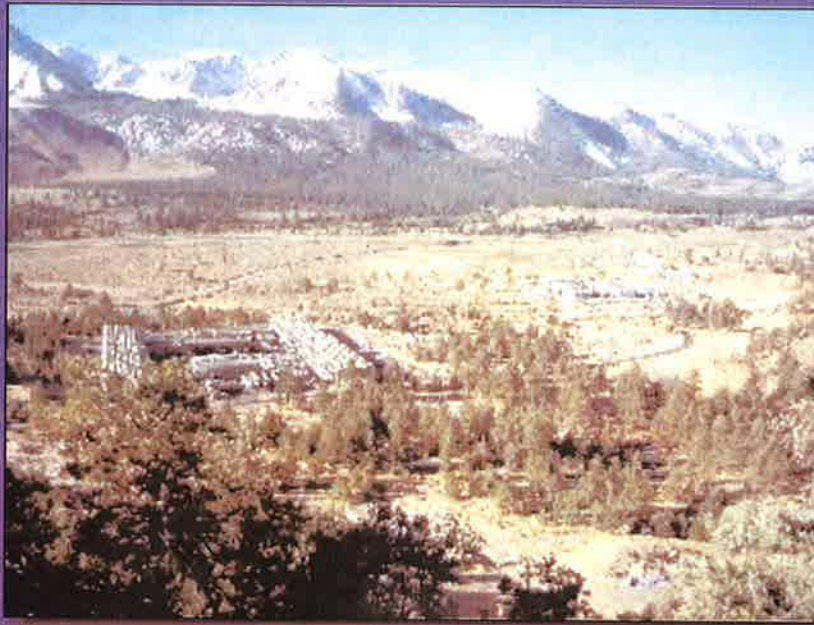
Ormat is a pure-play clean energy company with 500 employees in the United States. Its geothermal operations in Mono County provide local green jobs and clean, renewable energy tied into the local grid. The following is a non-exclusive list of some of the general economic benefits of Ormat's geothermal development in the Casa Diablo area:

- Stable primary employment and tax revenues independent of the national economy
- Economic benefits derived from continuous operation since 1984
- Property tax contributions (\$726,120 paid to Mono County in 2010)
- Direct local purchases totaling nearly \$1 million in 2010
- Periodic local construction jobs for small projects at the existing facilities
- 23 full-time equivalent employees
- Total payroll of approximately \$2.2 million to local employees
- Payroll taxes of approximately \$180,000 per year
- Royalties paid to Mono County from operations on federal lands of approximately \$90,000 per year, paid through the Bureau of Land Management
- Use of local lodging, restaurant and retail services by Ormat corporate employees and by Ormat contractors in the area on business
- Hiring of local construction and professional services.

Economics are only part of the picture of benefits that MPLP brings to Mono County. These geothermal operations also provide environmental and societal benefits. This is also a non-exclusive list:

- Production of approximately 29 MW, or enough to power some 21,750 homes
- Production of renewable, clean and sustainable energy

- Geothermal energy is “base-load,” producing energy to the grid 24/7, whereas many other renewable energies are intermittent
- No fossil fuels are consumed to generate energy
- The 29 MW of geothermal power are annually avoiding emission of about 200,000 tons of CO₂ from fossil fuel plants
- Geothermal production has the least surface use and visual impact of any other form of energy production, whether renewable or non-renewable
- Low visual impact allows blending with the surrounding environment
- Conserves fossil fuels and contributes to the diversity of energy resources
- Enhances national security by reducing dependence on imported fuels
- Contributes to meeting state and national renewable energy goals
- Geothermal operations are “field proven;” 10,000 MW are produced world-wide
- No substantial adverse environmental effects of Casa Diablo operations in the 26 years of operations
- Ormat operations at Casa Diablo have been the subject of awards from elected officials, trade associations and community groups based on its record for environmental protection and operations excellence
- Participation in and contribution to local educational and cultural programs
- Work with local, federal and state authorities to assure environmentally safe operations, and to ensure worker safety.



**ECONOMIC BENEFITS OF
PROPOSED M-1 GEOTHERMAL POWER
REPLACEMENT PLANT
MONO COUNTY, CALIFORNIA**

**Prepared for
Ormat Technologies**

**Prepared by
Wahlstrom & Associates**

September 6, 2011

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2. Construction Worker Schedule.....	4
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* * *

1. PROJECT DESCRIPTION

The Mammoth Pacific geothermal complex is located on unincorporated land in Mono County, 2.5 miles east of the Town of Mammoth Lakes, northeast of the junction at US Highway 395 and State Route 203. The complex includes three geothermal power plants built between 1984 and 1990 that have a generating capacity of 29 megawatts (MW). The existing facility produces enough electricity to power approximately 21,750 homes. The electricity is sold under long-term contracts to Southern California Edison.

During late 2010, Ormat Nevada, Inc. (ONI) acquired sole ownership of the geothermal complex site, power plants, equipment, and future rights to develop additional geothermal facilities on more than 10,000 acres of undeveloped federal land. The Company proposes to replace the 7 MW 1984 facility (G1) with a more modern and efficient advanced technology plant (M1) that can produce 18 MW of electricity.

The new plant will be located only 500 feet from the existing plant (See Figure 1). A pipeline will connect the replacement plant with the existing wells, which means that no new geothermal wells will need to be constructed. In addition, a new 12.47 KV substation/switching station will be constructed to connect the new power plant to the existing transmission line.

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FIGURE 1
Replacement Power Plant Location



New Investment and Jobs

The proposed project will require \$46.1 million of new investment in materials, equipment, and services. The investment will generate one year of jobs for out-of-area and local construction, and engineering and professional services contractors. The project applicant estimates that 70 percent of contractors on site will permanently reside out of the area, and 30 percent will be local contractors. However, the new investment will not change the facility operations staff, which will remain at 23 full-time workers. The allocation of the new investment and the type of jobs that will be created are summarized below.

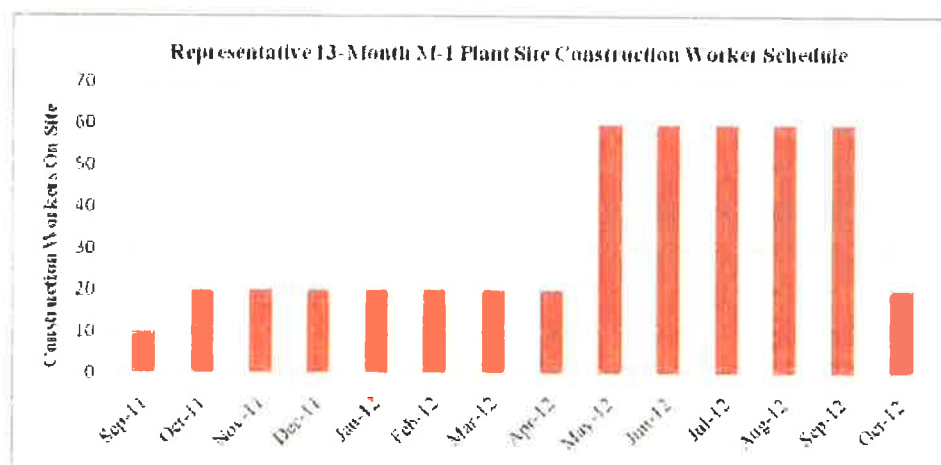
- The Project Applicant will purchase \$32.5 million of materials and equipment needed to assemble the replacement power plant generating unit, substation, spare parts, pentane, and a new building for the construction workforce. Power plant equipment and materials will be purchased from world markets and trucked into Mono County.
- \$5.1 million to purchase mechanical, electrical, and other skilled construction services from companies and individuals from outside the region. Specialized contractors will construct the new power plant's electrical and mechanical systems, as well as a new transmission line and substation.
- \$3.8 million to purchase engineering and other professional services. The project applicant estimates \$500,000 of engineering services will be purchased, and 80 percent of the services will be outsourced to firms that reside out the region.
- \$3.3 million to purchase the services of Mono and Inyo County firms to assist the replacement power plant construction project. Earthwork, concrete, and landscaping are services that local contractors can competitively provide.
- \$1.4 million will purchase construction management services provided by a combination of Ormat employees and independent contractors. Approximately 50 percent of this expenditure will be used to recruit additional Ormat employees and contractors to Mono County. The remainder will be spent on out of the area contractors.

Project Schedule

The proposed project schedule will have 20 construction workers continuously on site between October 2011 and April 2012. Up to 60 construction workers will be on site between May through the end of September 2012. The construction workforce will then decline to 20-persons by the end of October 2012 (See Figure 2).

The existing plant would continue to operate until the new plant becomes commercial, which may take as long as two years. After that time, the existing facility will be dismantled, the site graded, and the pad covered.

FIGURE 2
Construction Worker Schedule



2. MONO COUNTY'S ECONOMIC SETTING

The proposed project will be a boost to Mono County's economy, which is still losing jobs. Mono County's private sector job base expanded from 4,100 jobs in 1992 to 5,600 jobs by 2006 (Table 1). This amounts to a 2.2 percent annual rate of growth over a 14-year period, which exceeds California's 1.6 percent job growth rate during the same period.

However, Mono County lost 200 private sector jobs between 2007 and 2009, which amounted to a three-year 1.3 percent annual rate of job loss. An additional 200 private sector jobs were lost between 2009 and 2010.¹ However, the recession-generated loss of jobs in Mono County was less severe than California's job loss because the area's economy is less dependent on the manufacturing, retail, and technology sectors that were hit hard by the recession.

Mono County's economy is highly dependent on tourism as nearly 60 percent of the private jobs are generated by lodging facilities and restaurants. Retail businesses generates another 12 percent of county jobs, with construction and real estate/leasing another 6 percent each.

¹ Source: California Employment Development Department

Gross County Product

The value of goods and services produced in Mono County exceeds \$1 billion (see Table 2, column 2). The three largest economic sectors include accommodations (\$270 million), real estate (\$224 million), and public sector wages (\$163 million).

Employee wages paid among all industries amount to \$346 million (column 4). Self-employed individuals earned \$72 million of proprietor income (Column 5), and corporate profits, rents, and interest earned on real estate assets amounted to \$228 million (Column 6).

Mono County's Construction Industry

The past trends and current conditions within Mono County's construction industry (Table 3) provides a benchmark to evaluate the proposed project's economic impacts, as summarized below.

- Mono County lost more than 240 construction jobs between 2007 and 2009 as the recession drastically reduced the demand to build new residential and commercial space. The recession caused Mono County to lose approximately 40 percent of its 2006 construction job base.
- The construction industry generated \$95 million of production value, which accounts for 9 percent of Mono County's gross product (see column 2). The construction industry output has significantly declined since 2007 along with the decline of construction industry jobs.
- Self-employed persons generate approximately 50 percent of Mono County's construction industry earnings. Wage and salary employees generate the other half of industry earnings.
- The construction of nonresidential structures, which includes the proposed power plant replacement project, generates \$32 million of industry output. Construction companies that build other nonresidential structures pay \$6.8 million of salaries, and sole proprietors earn \$7.2 million of fees.

3. ECONOMIC BENEFITS OF THE POWER PLANT REPLACEMENT PROJECT

The construction of a replacement power plant should contribute \$9.9 million to Mono County's economy during the project's one-year construction phase. Additional fiscal benefits will be yielded by the higher property taxes that are generated by the new power plant investment. It is anticipated that local contractors will get \$3.1 million of business, and the indirect and induced spending by local contractors and out of area workers will contribute another \$6.8 million to the local economy.

The proposed project will also create 81 jobs in Mono County during the life of the construction activity. It is anticipated that contracts obtained by local establishments will generate 12 jobs. The vast majority of jobs will be generated by additional spending at support businesses that provide lodging, restaurants, take out food, retail, recreation, and other consumer services.

It is important to note that the new power plant investment would retain a steady number of jobs for many years into the future. The existing power plant would be decommissioned and existing jobs would be lost without the new investment. The economic benefits summarized in Figure 3 are described and explained below.

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Figure 3
Summary of Direct, Indirect and Induced Benefits Generated by the Proposed Geothermal Power Replacement Plant

Type of Contract	Value of Investment (\$ million)	Direct Purchases in Mono County	Mono County Indirect Multiplier Spending	Mono County Induced Multiplier Spending	Total Mono County Spending Impacts	Jobs Created For Mono County Workers To Construct The Power Plant Replacement Project	Indirect and Induced Jobs Created in Mono County	Total Jobs Created in Mono County
Purchase of equipment and materials on the world market	\$32.5	\$0	\$0	\$0		0	0	0
Contracts with out-of-area construction firms that recruit workers to temporarily reside in Mono County	\$5.1	\$0	\$1,510,000	\$260,000	\$1,770,000	0	18	18
Contracts with local firms to help construct the power plant replacement project	\$3.3							
Contracts with Mono County firms	\$3.0	\$3,000,000	\$400,000	\$510,000	\$3,910,000	11	9	20
Contracts with Inyo County firms	\$0.3	\$0	\$0	\$0	\$0	0	0	0
Construction management contracts	\$1.4							
Contracts with out-of-area construction management firms and/or Ormat employees that temporarily reside in Mono County	\$0.7	\$0	\$130,000	\$30,000	\$160,000	0	2	2
Contracts with out-of-area construction management firms and/or Ormat employees that work away from the site	\$0.7	\$0	\$0	\$0	\$0	0	0	0
Civil engineering and Other Indirect Expenses	\$3.8							
Mono County Civil Engineering Firms	\$0.1	\$100,000	\$10,000	\$20,000	\$130,000	1	0	1
Out of area Civil engineering firms	\$0.4	\$0	\$60,000	\$10,000	\$70,000	0	1	1
Other Indirect expenses	\$3.3	\$0	\$3,300,000	\$560,000	\$3,860,000	0	39	39
TOTALS	\$46.1	\$3,100,000	\$5,410,000	\$1,390,000	\$9,890,000	12	69	81

Data Sources: 2007 U.S. Census of Construction Industries, Ormat Technologies, California Energy Commission, IMPLAN Multipliers

Analysis: Wahlstrom & Associates

Notes

Columns (1 & 2): Information on investment by type of contract is provided by Ormat Technologies

Column (3): Mono County indirect spending multipliers from IMPLAN. See Table X for W&A estimates of spending by construction worker that temporarily reside in Mono County

Column (4): Mono County induced spending multipliers from IMPLAN.

Column (5) equals Column (2) + Column (3) + Column (4)

Column (6): Column (3) * wages/employee data from the U.S. Census of Construction Industries Data. See Table X

Column (7) equals Column (3) + Column (4) / \$100,000 assuming that local businesses generate \$100,000 of earning per employee

Column (8) equals Column (6) + Column (7)

Materials and Equipment (\$32.5 million)

Materials and equipment needed to assemble the replacement power plant will be purchased from world markets and trucked into Mono County. This expenditure will not generate direct or indirect purchases in Mono County, nor will it create any local jobs.

Out of Area Construction Firms (\$5.1 million)

Mechanical, electrical, and other skilled construction services will be purchased from companies and individuals that reside outside the region. Specialized contractors will be recruited to live in the area while they are working on specific tasks related to the power plant replacement project. It is estimated that the temporary workers will spend \$1.5 million on lodging and consumer services while residing in Mono County.² The indirect spending will generate another \$260,000 of induced spending, which will contribute to the creation or retention of 18 consumer services jobs in Mammoth Lakes and Mono County.

Local Construction Contractors (\$3.3 million)

The Project Applicant anticipates that Mono County firms will be awarded 9 percent of the local contracts, and Inyo County firms will be awarded 10 percent of the local business; \$3 million of contracts with Mono County businesses will generate another \$400,000 of indirect spending and \$510,000 of induced spending.³ We estimate that 11 contractor jobs will be created or retained by the local construction contracts. Another 9 consumer service jobs will be created or retained by the indirect and induced spending with consumer service establishments.

Construction Management Contracts (\$1.4 million)

Ormat anticipates using \$700,000 of additional construction management services by recruiting additional Staff or entering into contracts with construction management firms to work at the site on specific tasks. The out of area staff or contractors will contribute \$200,000 of indirect spending to the local economy and \$30,000 of induced spending.⁴ Approximately 2 consumer service jobs will be created or retained by contractor spending.

The remaining construction management activity will be contracted to out-of-area firms or Ormat Staff that will not travel to the site and make any economic contributions to Mono County's economy.

² See Appendix Table 4 for indirect spending calculations by out of area contractors

³ Calculations are made using the IMPLAN input-output model for Mono County. The model indicates that each construction dollar invested in the local economy will generate indirect impacts at a rate of 13.5% and induced impacts at a rate of 17%.

⁴ See Table 4 for indirect spending calculations

Civil Engineering and Other Indirect Expenses (\$3.8 million)

Ormat anticipates using \$100,000 of local civil engineering services. Firms and individuals that are awarded civil engineering contracts will generate another \$30,000 of indirect and induced spending. The total spending should create or retain one job.

Another \$400,000 of civil engineering services will be purchased from out-of-area firms who will work on site to perform specific tasks. The out of area contractors will generate another \$70,000 of indirect and induced spending in the local economy. The spending will be sufficient to support one consumer job.

Finally, Ormat anticipates another \$3.3 million of purchases on housing, transportation, and other consumer services from local vendors. Nearly \$3.9 million of indirect and induced spending should create or retain 39 consumer jobs in the local economy.

Ongoing Operations

Mammoth Pacific typically spends \$500,000 or more on local services and materials to support the power plant. Without the new plant, approximately 25 percent of the local spending would be lost as the existing facility is ultimately decommissioned and dismantled.

* * *

APPENDIX: Economic Impact Analysis Tables

Table 1: Employment Trends in Mono County and California
1992-2009

Table 2: Mono County Product and Industry Outputs, 2010

Table 3: Construction Industry Outputs in Mono County

Table 4: Estimates of Indirect Benefits Generated by
Out-of-area Contractors

Table 5: Employment and Earnings Among Establishments Engaged in
Power Plant and Civil Engineering Construction

* * *

Table 1
Employment Trends in Mono County and California, 1992 - 2009

	1992	2003	2006	2009	Percent Private Sector Jobs 2009	Job Growth 1992 - 2006	Job Growth 2007 - 2009	Annual Growth Rate 1992 - 2006	Annual Growth Rate 2007 - 2009
California									
Total Employment	12,505,100	14,768,000	15,435,500	14,456,500		2,930,400	-979,000	1.5%	-2.2%
Total Private Employment	10,057,900	11,966,800	12,608,000	11,605,200		2,550,100	-1,002,800	1.6%	-2.7%
Construction Employment	495,500	796,800	933,700	623,100	4%	438,200	-310,600	4.6%	-12.6%
Mono County									
Total Employment	5,200	7,100	7,100	7,000		1,900	-100	2.3%	-0.5%
Total Private Employment	4,100	5,500	5,600	5,400		1,500	-200	2.2%	-1.3%
11 Agriculture, Forestry, Fishing and Hunting	30	20	30	30	1%	0	0	0.0%	0.0%
21 Mining, Quarrying, and Oil and Gas Extraction	28	15	1	1	0%	-26	0	-20.8%	-1.4%
22 Utilities	8	4	2	2	0%	-6	0	-9.0%	-1.4%
23 Construction	330	560	580	340	6%	251	-242	4.1%	-16.3%
31-33 Manufacturing	50	60	60	40	1%	10	-20	1.3%	-12.6%
42 Wholesale Trade	20	20	30	10	0%	10	-20	2.9%	-30.7%
44-45 Retail	570	740	730	640	12%	160	-90	1.8%	-4.3%
48-49 Transportation & Warehousing	8	4	49	78	1%	42	28	14.0%	16.3%
51 Information	48	44	24	25	0%	-24	1	-4.8%	1.4%
52 Finance and Insurance	62	57	54	44	1%	-8	-9	-1.0%	-6.1%
53 Real Estate and Rental and Leasing	248	391	422	300	6%	174	-122	3.9%	-10.8%
54 Professional, Scientific, and Technical Services	102	191	225	120	2%	123	-105	5.8%	-18.9%
55 Management of Companies and Enterprises	0	1	1	0	0%	1	-1	0.0%	0.0%
56 Administrative Support, Waste Management and Remediation	85	133	29	218	4%	-55	189	-7.3%	94.9%
61 Educational Services	4	2	4	4	0%	0	0	0.5%	-1.4%
62 Health Care and Social Assistance	209	151	13	14	0%	-197	2	-18.2%	3.8%
71 Arts, Entertainment, and Recreation	62	96	95	102	2%	33	7	3.1%	2.5%
72 Accommodation and Food Services	2,103	2,826	3,042	3,210	59%	940	168	2.7%	1.8%
81 Other Services (except Public Administration)	159	207	237	232	4%	77	-4	2.9%	-0.6%
91 Public Administration	1,060	1,530	1,500	1,640		440	140	2.5%	3.0%

Source: California Employment Development Department and IMPLAN ES 202 Files

Analysis: Wahlstrom & Associates

Table 2
Mono County Gross County Product and Industry Outputs, 2010

Description	Employment (1)	Industry Output (2)	Industry Output % Total (3)	Employee Compensation (4)	Proprietor Income (5)	Other Property Income (6)	Indirect Business Tax (7)	Indirect Business Tax % Total (8)
Total	9,600	\$1,056,400,000		\$345,900,000	\$71,900,000	\$227,700,000	\$66,000,000	
11 Agriculture, Forestry, Fishing and Hunting	20	\$7,400,000	1%	\$200,000	\$900,000	\$1,500,000	\$100,000	0%
21 Mining, Quarrying, and Oil and Gas Extraction	30	\$17,500,000	2%	\$3,600,000	\$400,000	\$4,500,000	\$900,000	1%
22 Utilities	10	\$6,900,000	1%	\$1,400,000	\$0	\$2,600,000	\$800,000	1%
23 Construction	740	\$95,100,000	9%	\$19,300,000	\$20,300,000	\$6,500,000	\$700,000	1%
31-33 Manufacturing	40	\$16,100,000	2%	\$1,500,000	\$60,000	\$1,100,000	\$1,400,000	2%
42 - Wholesale Trade	10	\$2,400,000	0%	\$800,000	\$90,000	\$300,000	\$300,000	1%
44 - 45 Retail	930	\$56,800,000	5%	\$21,300,000	\$6,800,000	\$9,600,000	\$10,200,000	15%
48 Transportation	50	\$9,800,000	1%	\$2,200,000	\$100,000	\$1,000,000	\$200,000	0%
49 - Warehousing and Storage	40	\$3,000,000	0%	\$1,500,000	\$700	\$400,000	\$10,000	0%
51 - Information	40	\$6,800,000	1%	\$1,300,000	400,000	1,000,000	\$200,000	0%
52 - Finance and Insurance	90	\$16,400,000	2%	\$2,300,000	\$1,600,000	\$3,900,000	\$300,000	0%
53 - Real Estate, Rentals & Leasing	990	\$224,200,000	21%	\$10,900,000	\$12,400,000	\$114,300,000	\$25,300,000	38%
54 - Professional, Scientific and Technical	290	\$29,300,000	3%	\$7,600,000	\$6,800,000	\$5,500,000	\$700,000	1%
55 - Management of Companies and Enterprises	40	\$1,100,000	0%	\$700,000	\$60,000	\$100,000	\$5,000	0%
56 - Administrative, Waste Management and Remediation	200	\$18,600,000	2%	\$6,100,000	\$500,000	\$2,500,000	\$500,000	1%
61 - Education Services	20	\$1,100,000	0%	\$700,000	\$20,000	\$70,000	\$10,000	0%
62 - Health Care	140	\$11,100,000	1%	\$1,700,000	\$4,400,000	\$400,000	\$80,000	0%
71 - Arts, Entertainment and Recreation	570	\$49,000,000	5%	\$13,500,000	\$3,800,000	\$9,300,000	\$4,600,000	7%
72 - Accommodations and Food Services	2,980	\$269,600,000	26%	\$96,300,000	\$2,900,000	\$36,000,000	\$19,300,000	29%
81 - Other Services	510	\$51,200,000	5%	\$15,7800,000	\$10,500,000	\$1,400,000	\$400,000	1%
91 - Public Administration	1,880	\$163,000,000	15%	\$137,300,000	\$0	\$25,700,000	\$0	0%

Source: Minnesota Implan Group

Analysis: Wahlstrom & Associates

Notes:

Column 1 - Includes self employment

Column 2 - Value of industry production in producer prices

Column 4 - Includes wages, salaries, benefits & employer taxes

Column 5 - Self employment earnings including capital consumption allowance

Column 6 - Includes corporate profits, rent, interest and capital consumption allowance

Column 7 - Includes sales taxes, excise taxes, fees, fines, licenses & property taxes. All payments to government except payroll taxes and end of year corporate taxes.

Table 3
Construction Industry Outputs in Mono County

Description	Employment (1)	Industry Output (2)	Employee Compensation (3)	Proprietor Income (4)	Other Property Income (5)	Indirect Business Tax (6)
Total Industry Output	9,635	\$1,056,400,000	\$345,900,000	\$71,900,000	\$227,700,000	\$66,000,000
23 Construction	741	\$95,100,000	\$19,300,000	\$20,300,000	\$6,500,000	\$700,000
34 - Construction of new commercial and health care structures	162	\$18,900,000	\$4,300,000	\$4,500,000	\$1,000,000	\$200,000
35 - Construction of new manufacturing structures	49	\$5,400,000	\$1,300,000	\$1,400,000	\$300,000	\$30,000
36 - Construction of other new nonresidential structures	261	\$32,200,000	\$6,800,000	\$7,200,000	\$1,700,000	\$200,000
37 - 38 - Construction of new residential structures	144	\$24,800,000	\$3,800,000	\$4,000,000	\$2,300,000	\$100,000
39 - Maintenance and repair of nonresidential structures	86	\$9,000,000	\$2,300,000	\$1,900,000	\$800,000	\$80,000
40 - Maintenance and repair of residential structures	37	\$4,700,000	\$800,000	\$1,400,000	\$400,000	\$30,000

Source: Minnesota Implan Group

Analysis: Wahlstrom & Associates

Notes:

Column 1 - Includes self employment

Column 2 - Value of industry production in producer prices

Column 3 - Includes wages, salaries, benefits & employer taxes

Column 4 - Self employment earnings including capital consumption allowance

Column 5 - Includes corporate profits, rent, interest and capital consumption allowance

Column 6 - Includes sales taxes, excise taxes, fees, fines, licenses & property taxes. All payments to government except payroll taxes and end of year corporate taxes.

Table 4
Estimates of Indirect Benefits Generated by Out of Area Contractors

Type of Contract	Value of Investment (\$ Million) (1)	Value per Employee (2)	Full Time Workers (3)	Workers that Temporarily Reside in Mono County (4)	Number of Days in Mono County per Worker (5)	Consumer Spending per day (6)	Total Indirect Spending (7)
Power plant construction (out-of-area firms)	\$5.1	\$208,000	25	22	428	160	\$1,511,000
Contracts with out-of-area construction management firms and/or Ormat employees that temporarily reside in Mono County	\$0.7	\$219,000	3	3	428	160	\$197,000
Contracts with out-of-area civil engineering firms that temporarily reside in Mono County	\$0.4	\$277,000	1	1	428	160	\$59,000
Construction management	\$.7	\$219,000	6	4	428	160	\$131,000

Data Sources: 2007 U.S. Census of Construction Industries, Ormat Technologies, California Energy Commission

Analysis: Wahlstrom & Associates

Notes

Column (1); Information on investment by type of contract is provided by the Project Applicant

Column (2): U.S. Census of Construction Industries Data, See Table 5

Column (3): Column (1)/(2)

Column (4) Assumes 60% of out or area contractors will reside in Mono County and 40% will reside in Inyo County

Column (5) Project is scheduled to start construction in the beginning of September, 2011 and will be completed by the end of October, 2012

Column (6) Per Diem rates paid to California Energy Commission contractors

Column (7) equals Column (4) + Column (5) + Column (6)

Table 5
Employment and Earnings Among Establishments
Engaged in Power Plant and Civil Engineering Construction

NAICS	Construction Sectors	Establishments	Employees	Construction Workers	Other Workers	Value of Construction (\$ Thousand)	Value per All Employees	Value per Construction Employee
237130	Power & communication line & related structures	5,289	187,706	148,104	39,602	\$30,783,389	\$164,000	\$208,000
237990	Other heavy industry & civil engineering construction	4,077	70,461	55,948	65,797	\$15,504,377	\$220,000	\$277,000
237991	Construction Management	130	4,664			\$1,023,357	\$219,000	

Source: U.S. Census of Construction Industries, 2007

Analysis: Wahlstrom & Associates

MONO COUNTY

Planning Division

DRAFT NOTICE OF DECISION USE PERMIT, VARIANCE, & RECLAMATION PLAN

USE PERMIT: 12-004 **APPLICANT:** Mammoth Pacific L.P.
VARIANCE: 12-002
RECLAMATION PLAN: 12-001

ACCESSOR PARCEL NUMBER: 037-050-002 & 037-050-005

PROJECT TITLE: Mammoth Pacific I Replacement Project

PROJECT LOCATION: The project is located at 94 Casa Diablo Cutoff Road, Mammoth Lakes in Mono County, California.

On October 11 2012, a duly advertised and noticed public hearing was held and the necessary findings, pursuant to Chapter 32.010, Chapter 33.010, and Chapter 35.030, Land Development Regulations, of the Mono County General Plan Land Use Element, were made by the Mono County Planning Commission. In accordance with those findings, a Notice of Decision is hereby rendered for Use Permit 12-004, Variance 12-002, Reclamation Plan 12-001 Mammoth Pacific I Replacement Project, subject to the following conditions, at the conclusion of the appeal period and upon the provision of clarification of General Plan provisions related to setbacks from a surface watercourse by the Board of Supervisors (by adoption of GPA 12-003(b), Board interpretation, or otherwise).

CONDITIONS OF APPROVAL/MITIGATION MONITORING & REPORTING PROGRAM

See attached Conditions of Approval & MMRP

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

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

DATE OF DECISION/PROJECT APPROVAL: October 11, 2012
EFFECTIVE DATE OF USE PERMIT: Upon provision of clarification by the Board of Supervisors of General Plan Provisions related to setbacks from a surface watercourse.

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

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

DATED: October 11, 2012

cc: X Applicant
X Public Works
X Building
X Compliance

**Draft Conditions of Approval & Mitigation Monitoring
& Reporting Program
Mammoth Pacific I Replacement Project
Use Permit 12-004, Variance 12-002, and Reclamation Plan 12-001**

1. The project shall comply with the approved Reclamation Plan, Use Permit, and Variance.
2. The project shall conform to and meet the requirements set forth in the MP-I Replacement Project Final EIR and the attached Mitigation Monitoring and Reporting Program.

4 MITIGATION MONITORING AND REPORTING PROGRAM

4.1 Purpose

This section lists all mitigation measures contained in the Draft EIR prepared for the proposed Mammoth Pacific I (MP-I) Replacement Project (Project) as revised and supplemented by the RDEIR and RDEIR2. The mitigation measures are provided in the format of a Comprehensive Mitigation Monitoring and Reporting Program. This Program complies with State Public Resources Code §21086.6 which requires public agencies approving a Project under CEQA to establish a program for monitoring and reporting on the adopted mitigation plan.

4.2 Adoption of Mitigation Measures

As part of deliberations concerning the proposed Project, the Mono County Planning Commission will be required to consider adoption of the mitigation measures listed herein. If the Planning Commission approves the MP-I Replacement Project, they will also be required to specify whether these mitigation measures are to be formally incorporated as conditions of Project approval.

4.3 Monitoring and Reporting Procedures

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

4.4 Regulatory Code and Compliance Standards

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

4.5 Compilation of Mitigation Measures

The following mitigation measures are proposed to eliminate, avoid, or reduce potential environmental effects of the MP-I Replacement Project that have been found to be potentially substantial and adverse. These compiled measures will be required as Mono County Conditions of Approval.

*Mammoth Pacific I Replacement Project
Final EIR*

**MAMMOTH PACIFIC I REPLACEMENT PROJECT
MITIGATION IMPLEMENTATION AND MONITORING PROGRAM AND FORM
State Clearinghouse #2011022020**

Project Approval Date: _____ **Project File Number:** _____

The following measures have been adopted by Mono County (MC). As such, these measures represent formal conditions of approval of the Use Permit for the Mammoth Pacific I (MP-I) Replacement Project. Some of the measures were proposed as part of the Project by Mammoth Pacific L.P. (Applicant) and some of the measures were recommended environmental protection and mitigation measures in the Revised Draft EIR prepared for the Project. Unless explicitly stated otherwise, the Applicant and the MP-I Plant Operator shall be responsible for implementing these measures. The County and other identified responsible agencies shall be responsible for monitoring and reporting progress on these measures until all measures are fulfilled in accordance with their original purpose and intent as determined by the Mono County Planning Commission. This monitoring form shall be available for public review and inspection, and the final project clearance shall require that all verifications included in this form have been satisfactorily completed.

Number	Mono County Conditions of Approval	Schedule of Compliance	Monitoring Entity*	Verification Date
General Conditions				
1	Applicant shall conform to the Project Description described in the Revised Draft EIR prepared for the Project. Any proposed revisions to the Project Description must be approved by Mono County.	Design, Construction and Operations	MC Department of Public Works, MCEDD and MCCDD Planning Division	Confirm and Document During Design Approval and Monitor Throughout the Project Lifetime
2	The startup operating transition period during which both the proposed M-1 plant power generation facilities and the existing MP-I plant power generation facilities may operate at the same time shall be a maximum of two years from the date that the proposed M-1 plant begins startup operations of any kind.	Construction and Startup Operating Transition Period	MCEDD and MCCDD Planning Division	Confirm and Document During Startup Operating Transition Period

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Number	Mono County Conditions of Approval	Schedule of Compliance	Monitoring Entity*	Verification Date
3	The rate of geothermal fluid production supplying the Casa Diablo geothermal complex during the startup operating transition period during which both the proposed M-1 power generation facilities and the existing MP-I plant power generation facilities may operate at the same time shall not exceed the existing geothermal fluid flow capacity of 6,900,000 pounds per hour.	Construction and Startup Operating Transition Period	CDOGGR, MCEDD and MCCDD Planning Division	Confirm and Document During Startup Operating Transition Period
Aesthetics:				
4	<u>Aesthetics Design Feature 1</u> : Power plant lighting shall be projected downward to mitigate nighttime visibility of the facilities.	Design, Construction and Operations	MCCDD	Confirm and Document During Design Approval
5	<u>Aesthetics Design Feature 2</u> : An Outdoor Lighting Plan shall be prepared and implemented for the M-1 plant site in conformance with the Mono County Dark Sky Regulations.	Design	MCCDD	Confirm and Document During Design Approval
6	<u>Aesthetics Design Feature 3</u> : The M-1 facility structures shall be painted in an earth-tone greenish color similar to the existing plants to help blend into the background.	Prior to the End of Construction	MCEDD and MCCDD Planning Division	Confirm and Document Prior to Operations
7	<u>Aesthetics Design Feature 4</u> : The large pine tree in the southwest corner of the M-1 plant shall be saved to provide some visual screening of the plant site.	Design and Construction	MCEDD and MCCDD Planning Division	Confirm and Document During Design Approval and Monitor During Site Construction
8	<u>Aesthetics Design Feature 5</u> : Items to be stored within the equipment storage area constructed on the decommissioned MP-I plant site shall be restricted to a maximum height of 15 feet.	Operations	MCEDD and MCCDD Planning Division	Monitor Throughout the Project Lifetime

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Number	Mono County Conditions of Approval	Schedule of Compliance	Monitoring Entity*	Verification Date
9	<u>Aesthetics Design Feature 6</u> : The selected interconnection transmission line option(s) from the M-1 plant site to the existing utility distribution line shall be constructed near ground level to minimize the visibility of the interconnection transmission line.	Prior to the End of Construction	MCEDD and MCCDD Planning Division	Confirm and Document Prior to Plant Operations
10	<u>Aesthetics Protection Measure 1</u> : A Landscape Plan shall be prepared to provide visual screening of views of the proposed storage yard to be created in the footprint of the existing MP-I plant site, particularly along the southwestern and southeastern edges of the facility. The Landscape Plan shall be designed to achieve applicable standards set forth in Section 08.010 through 08.060 (Scenic Combining District and State Scenic Highway) of the Mono County General Plan Land Use Element and shall be approved by the County prior to the required decommissioning of the MP-I plant site. Visual screening alternatives could include installing metal slats in the chain link fence; installing and maintaining native vegetation consisting of such species as Jeffery pine, bitterbrush, and sagebrush; or other measures consistent with achieving the applicable County standards.	Prior to the End of Construction	MCEDD and MCCDD Planning Division	Confirm and Document Prior to Plant Operations
Air Quality:				
11	<u>Air Quality Design Feature 1</u> : An Authority to Construct permit for the new power plant shall be obtained from the Great Basin Unified Air Pollution Control District (GBUAPCD).	Prior to Construction	GBUAPCD, MCEDD and MCCDD Planning Division	Confirm and Document Prior to Site Construction
12	<u>Air Quality Design Feature 2</u> : Permits to Operate the diesel fueled emergency generator and firewater pump generator shall be obtained from the GBUAPCD.	Prior to Construction	GBUAPCD, MCEDD and MCCDD Planning Division	Confirm and Document Prior to Generator Operations
13	<u>Air Quality Design Feature 3</u> : A vapor recovery unit (VRU) shall be used to capture motive fluid that could otherwise be released during plant maintenance.	Design and Operations	GBUAPCD and MC Department of Public Works	Confirm and Document During Design Approval

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Number	Mono County Conditions of Approval	Schedule of Compliance	Monitoring Entity*	Verification Date
14	<u>Air Quality Design Feature 4</u> : The Applicant shall implement the following measures to reduce fugitive dust emissions from the Project: <ul style="list-style-type: none"> • Restrict surface disturbance to the area within the proposed site grading plan; • Routinely water disturbed surfaces and building materials; • Limit maximum construction vehicle speeds to 15 miles per hour (mph); • Restrict construction activities during periods of high wind (i.e., greater than 25 mph); • Water or cover all materials transported onto or off of the construction site; • Pave the plant maintenance road; and • Cover all unpaved plant site surfaces with gravel after final grading. 	Construction	GBUAPCD, MCEDD and MCCDD Planning Division	Confirm and Document Prior to Site Construction and Monitor During Site Construction
Biological Resources:				
15	<u>Bio Design Feature 1</u> : The M-1 plant site shall drain to a subsurface retention basin. Overflow from this basin shall drain via sheet flow to the surface for percolation.	Design and Construction	MC Public Works Department	Confirm and Document During Design Approval
16	<u>Bio Design Feature 2</u> : Short-term and long-term erosion control and stormwater construction best management practices (BMP) shall be integrated into the interim site reclamation plan for the MP-I plant site.	Prior to MP-I Decommissioning	MC Public Works Department	Confirm and Document During Design Approval
17	<u>Bio Design Feature 3</u> : M-1 plant site construction BMP shall be implemented, including: placement of straw wattles and/or silt fencing along the perimeter of the site, and around topsoil stockpiles; and placement of silt fences in drainage swales at the exit point of the site.	Design and Construction	MC Public Works Department	Confirm and Document During Design Approval

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Number	Mono County Conditions of Approval	Schedule of Compliance	Monitoring Entity*	Verification Date
18	<u>Bio Design Feature 4</u> : M-1 plant site post-construction BMP shall also be implemented, including: the use of erosion control blankets and hydroseeding of slopes created by grading outside of the plant site; the placement of ¾" rock placed in all areas of the plant site that are not covered by pavement or structural concrete; and rock filled trench drains and retention facilities shall provide desiltation of storm water runoff.	Operations	MC Department of Public Works, MCEDD and MCCDD Planning Division	Confirm and Document During Design Approval and Monitor Throughout the Project Lifetime
19	<u>Bio Design Feature 5</u> : The on-site construction vehicle maximum speed limit shall be limited to 15 miles per hour (mph) to, in part, reduce the potential for vehicle impacts with wildlife during construction activities.	Construction	GBUAPCD, MCEDD and MCCDD Planning Division	Monitor During Site Construction
20	<u>Bio Design Feature 6</u> : All noise creating construction activities shall be limited to daylight hours; noise levels during construction activities shall be kept to a minimum by equipping all on-site equipment with noise attenuation devices; and the M-1 plant site facilities shall operate at lower noise levels than those of the existing MP-I plant to, in part, reduce the impacts from noise on wildlife.	Construction	MCEDD and MCCDD Planning Division	Monitor During Site Construction
21	<u>Bio Design Feature 7</u> : The M-1 plant site shall be designed and constructed to prevent spills from leaving the site and to prevent runoff from any source being channeled or directed in an unnatural way so as to cause erosion, siltation, or other detriments; a system of pressure and flow sensing devices and regular inspection of all lines, capable of detecting leaks and spills, shall be instituted and maintained for the M-1 plant site facilities; the proposed M-1 plant site shall be integrated into the existing <i>Geothermal Brine Spill Prevention and Response Plan</i> prepared for the Casa Diablo geothermal complex; and a <i>Spill Prevention, Control and Countermeasure Plan</i> (SPPC Plan) shall be prepared for the plant site and integrated into the existing program for hazardous material management and emergency response at the Casa Diablo geothermal complex to, in part, reduce the potential for adverse offsite effects on biological resources from spills of geothermal fluid, petroleum hydrocarbons, or hazardous substances from the M-1 plant site.	Prior to and During Operations	MC Department of Public Works, Environmental Health, MCEDD and MCCDD Planning Division	Confirm and Document During Design Approval and Monitor Throughout the Project Lifetime

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Number	Mono County Conditions of Approval	Schedule of Compliance	Monitoring Entity*	Verification Date
22	<u>Bio Design Feature 8</u> : Removal of existing pine trees located off of the M-1 plant site shall be avoided in the placement of the interconnection injection pipeline to minimize impacts on offsite vegetation and wildlife habitat.	Construction	MCEDD and MCCDD Planning Division	Monitor During Site Construction
23	<u>Bio Mitigation Measure 1</u> : The MP-I Project shall be subject to the applicable hydrologic and biologic monitoring and remedial action program requirements set forth in the Mono County General Plan (Mono County General Plan, Conservation/Open Space Element, Energy Resources, Goal 1, Objectives C and D), including compliance with conditions addressing hydrologic monitoring and remediation contained in the existing Conditional Use Permit for the MP-II Geothermal Power Plant.	Operations	MCEDD, MCCDD Planning Division and the LVHAC	Monitor Throughout the Project Lifetime
24	<u>Bio Protection Measure 2</u> : All above ground pipelines and transmission lines shall be installed using low pressure tracked equipment to minimize impacts on vegetation. Understory vegetation and organic horizon may be trampled during pipeline and transmission line installation but not removed. All Jeffrey pine trees in the installation routes outside of the footprint of the M-1 replacement plant site shall be preserved. All interconnection transmission line and pipeline installation routes outside of the footprint of the M-1 replacement plant site shall be revegetated during the October following the respective pipeline or transmission line installations by seeding with a [seed mix – scrub] approved by the County which emphasizes bitterbrush.	Construction	MCEDD and MCCDD Planning Division	Monitor During Site Construction

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Number	Mono County Conditions of Approval	Schedule of Compliance	Monitoring Entity*	Verification Date
25	<p><u>Bio Protection Measure 3:</u> A post M-1 plant site construction Revegetation Plan shall be prepared and submitted to the County. The Revegetation Plan shall specify that topsoil at the M-1 pad site, defined as organic litter and mineral soil to a depth of 10 inches, shall be stockpiled at the SCE easement edge. This topsoil shall be spread to enhance the revegetation areas. The revegetation shall include all pad edges, fill slopes, and areas disturbed by equipment, except the very small areas mapped as thermally disturbed (i.e., the pre-project condition is already devegetated). Revegetation areas shall be seeded and the seed immediately raked in during the first October following construction, using [seed mix – scrub]. After seed is broadcast, the revegetation area shall be mulched using shrubs and forest materials retained from the M-1 pad construction area. Once seeding and mulching have been completed, the revegetation areas shall be kept off-limits to vehicles except in emergency. Revegetation goals are: (1) eight native perennial grasses and four native shrubs per 4-square-meter quadrat (average of five quadrats per revegetation area), in all areas except those mapped as thermally disturbed; and (2) no populations of new non-native species (i.e., species that were present at Casa Diablo pre-project are allowed). If after 3 years goal (1) is not met, then new seeding and mulching is required. If at any time a new non-native population occurs, then eradication is required.</p>	Post-Construction	MCEDD and MCCDD Planning Division	Confirm and Document Prior to Plant Operations and Monitor Until Revegetation Goals are Successful
26	<p><u>Bio Protection Measure 4:</u> Patches totaling about 7.2 acres of high quality Wright Buckwheat Dwarf Scrub habitat have been mapped on the private land northeast of the M-1 plant site. The Applicant shall protect this habitat from further development and mechanical disturbance and designate the mapped area for long-term preservation in the Reclamation Plan prepared for the County for the Casa Diablo geothermal development.</p>	Design, Construction and Operations	MCEDD and MCCDD Planning Division	Require Revision of the Reclamation Plan and Monitor Throughout the Project Lifetime

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Number	Mono County Conditions of Approval	Schedule of Compliance	Monitoring Entity*	Verification Date
27	<u>Bio Protection Measure 5</u> : During the seasonal bird nesting period from February 15 th through September 15 th , a nesting bird survey shall be undertaken by a qualified biologist within the 7-day period prior to commencing (or recommencing if activities stop longer than 7 days) construction activities on the M-1 plant site. If nesting birds are observed on or within 100 feet of the proposed M-1 plant site, then the CDFG shall be notified and surface disturbance within 100 feet of the nesting birds shall be postponed until a qualified biologist advises that fledging has occurred.	Pre-Construction	MCEDD, MCCDD Planning Division and CDFG	Confirm and Document Prior to Site Construction
28	<u>Bio Protection Measure 6</u> : A nesting bird survey shall be undertaken by a qualified biologist within the 7-day period prior to beginning decommissioning of the existing MP-I power generation superstructure. If nesting birds are observed on the existing MP-I power generation superstructure, then the CDFG shall be notified and decommissioning activities shall be postponed until a qualified biologist advises that fledging has occurred.	Pre-Construction	MCEDD, MCCDD Planning Division and CDFG	Confirm and Document Prior to Site Construction
29	<u>Bio Protection Measure 7</u> : The Project shall not erect any linear barriers to movement of deer or other wildlife in the area between the existing MP-I plant site and the replacement M-1 plant site. During M-1 plant site construction, no temporary fencing or pipeline racks shall be erected in this same area during the normal periods of mule deer migration, from April 1 st to May 30 th or from September 15 th through November 15 th .	Design and Construction	MCEDD, MCCDD Planning Division and CDFG	Confirm and Document During Site Construction
30	<u>Bio Protection Measure 8</u> : A new deer crossing shall be constructed over the existing pipeline rack between the existing MP-I plant site and the replacement M-1 plant site to enhance mule deer and other wildlife movement through the Project area. The crossing shall be approximately 30 feet wide and shall be located near the 90 degree turn in the pipeline from east-west to north-south (at about 37.64590°N, -118.91358°W). The crossing shall be earthen filled over the pipeline rack. The new fill slopes, the earthen top, and the adjacent disturbed area shall be revegetated using [seed mix – scrub] and Jeffrey pines on 20-foot centers. The finished crossing shall resemble the existing crossing at the SCE easement located approximately 320 feet east of the 90 degree turn.	Design and Construction	MCEDD, MCCDD Planning Division and CDFG	Confirm and Document During Design Approval and Post-Construction

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31	<u>Bio Protection Measure 9</u> : The mule deer movement corridor identified on the northeastern side of the existing Casa Diablo geothermal complex shall be maintained free from further development and mechanical disturbance to provide continuing wildlife movement through the Casa Diablo area. This area generally coincides with the patches of Wright Buckwheat Dwarf Scrub community referenced in Bio Protection Measure 4, and the adjacent three acres of Singleleaf Pinyon Woodland, and one acre of Jeffrey Pine Forest. The Applicant shall protect this movement corridor from further development and mechanical disturbance and designate the mapped area for long-term preservation in the Reclamation Plan prepared for the County for the Casa Diablo geothermal development.	Design, Construction and Operations	MCEDD and MCCDD Planning Division	Require Revision of the Reclamation Plan and Monitor Throughout the Project Lifetime
32	<u>Bio Protection Measure 10</u> : All operational waste facilities shall be located within exclusion fences of at least six feet in height to avoid attracting potential predators (i.e., including bears, coyotes, and ravens) to the area. Gates shall be kept closed if a waste facility is present. All waste receptacles shall be fitted with bear-proof lids. The lids shall be kept closed, and waste receptacle lid-closure shall be added to the standard plant operating protocol. Visiting contractors shall be made aware of the importance of proper waste disposal within the Project area.	Operations	MCEDD and MCCDD Planning Division	Monitor Throughout the Project Lifetime
33	<u>Bio Protection Measure 11</u> : Construction lighting shall be shielded away from the area located between the existing MP-I plant site and the replacement M-1 plant site. Operational lighting located along the northern, western, and southern boundaries of the replacement M-1 plant site; and the eastern and southern boundaries of the new MP-I storage yard, shall be shielded and directed downward or inward away from deer movement corridors.	Design and Construction	MC Department of Public Works	Confirm and Document During Design Approval
34	<u>Bio Protection Measure 12</u> : The operational vehicle speed limit in the Project area shall be posted and restricted to a maximum 15 miles per hour to minimize the potential for vehicle impacts on wildlife. Distractions such as using electronic devices, cell phones, etc. shall be prohibited in moving vehicles in the Casa Diablo area. Visiting contractors shall be made aware of the wildlife collision avoidance rules.	Operations	MCEDD and MCCDD Planning Division	Monitor Throughout the Project Lifetime

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35	<u>Bio Protection Measure 13</u> : To avoid harassment of wildlife or take of special status wildlife species, all dogs brought into the Project area shall be kept on leash unless they are brought into the fenced MP-I plant site or fenced M-1 replacement plant site areas and the gates are closed. Contractors shall be informed of the requirement that dogs be leashed and gates closed.	Operations	MCEDD and MCCDD Planning Division	Monitor Throughout the Project Lifetime
36	<u>Bio Protection Measure 14</u> : All constructed basins in the Project area shall have finished slopes of 1:3 or less for at least 10 percent of the basin perimeter, with no less than one such slope every 100 feet of perimeter to facilitate wildlife escape from the basins. This may be accomplished by constructing ramp-like slopes or by piling dirt inside the basins at the required slope and interval.	Design and Construction	MC Department of Public Works	Confirm and Document During Design Approval
37	<u>Bio Protection Measure 15</u> : A biological survey for amphibians shall be conducted of the existing pond on the MP-I plant within the 7-day period prior to demolition of the pond. The CDFG shall be notified if any amphibian populations are discovered during the survey. The CDFG shall be allowed to determine whether relocation or extermination of the amphibian species is indicated.	Pre-Construction	MCEDD, MCCDD Planning Division and CDFG	Confirm and Document Prior to Pond Demolition
38	<u>Bio Protection Measure 16</u> : All perchable pole tops greater than 20 feet in height located near the southern boundary of the M-1 plant site abutting undisturbed native scrub habitat, shall be fitted with passive raptor and raven perching deterrents (e.g., Nixalite® bird spikes or equivalent). Any accumulations of raptor or raven droppings on M-1 plant site structures would trigger expanding the passive raptor and raven perching deterrents to the affected structure(s). No new potential perches of 20-foot in height or greater shall be authorized in the new MP-I storage yard following decommissioning activities.	Design, Construction and Operations	MCEDD and MCCDD Planning Division	Confirm and Document Prior to Operations and Monitor Throughout the Project Lifetime
Cultural Resources				
39	<u>Cultural Design Feature 1</u> : The Applicant shall implement all environmental protection measures to reduce the adverse effects of the Project on cultural resources that were recommended in the baseline cultural resources survey reports prepared for the Project area.	Construction	MCEDD and MCCDD Planning Division	Confirm and Document During Site Grading

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40	<u>Cultural Protection Measure 1</u> : In the unlikely event that human remains are encountered during the construction phase of the project, excavation activities shall be stopped and the County Coroner must be contacted. If the County Coroner determines that the remains are those of Native Americans, the Native American Heritage Commission (NAHC) must be contacted within 24 hours and a Most Likely Descendant will be assigned to consult with the County to develop an agreement for the treatment and disposition of the remains.	Construction	MCEDD, MCCDD Planning Division and NAHC	Confirm and Document During Site Grading
Geology and Soils				
41	<u>Geo Design Feature 1</u> : Applicant shall implement those measures recommended in the report of the geotechnical investigation of the site to mitigate impacts due to geotechnical, soils and geologic constraints.	Design and Construction	MC Public Works Department	Confirm and Document During Design Approval
42	<u>Geo Design Feature 2</u> : All buildings and structures shall be constructed to meet applicable earthquake safety codes and the 2010 Uniform Building Code adopted by Mono County.	Design and Construction	MCCDD	Confirm and Document During Design Approval
Hazards and Hazardous Materials				
43	<u>HazMat Design Feature 1</u> : The power plant site shall be designed and constructed to prevent spills from leaving the site and endangering adjacent properties and waterways, and to prevent runoff from any source being channeled or directed in an unnatural way so as to cause erosion, siltation, or other detriments.	Design and Construction	MC Public Works Department, Environmental Health	Confirm and Document Prior to Operations
44	<u>HazMat Design Feature 2</u> : A system of pressure and flow sensing devices and regular inspection of all lines, capable of detecting leaks and spills, shall be instituted and maintained.	Design, Construction and Operations	MCEDD and MCCDD Planning Division	Confirm and Document Prior to Operations and Monitor Throughout the Project Lifetime

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45	<u>HazMat Design Feature 3</u> : The existing program for hazardous material management and emergency response at the Casa Diablo geothermal complex shall be expanded to include the M-1 plant site and operations, including: (a) the existing Spill Pollution Control and Countermeasure (SPCC) Plan; (b) the California Accidental Release Prevention (CalARP) Program; (c) the EPA Risk Management Plan (RMP); and (d) the OSHA Process Safety Management (PSM) Program to include the new M-1 plant.	Design, Construction and Operations	MCEDD, MCCDD Planning Division and MC Health Department, Environmental Health Division	Confirm and Document Prior to Operations and Monitor Throughout the Project Lifetime
46	<u>HazMat Design Feature 4</u> : The existing program for fire prevention and suppression at the Casa Diablo geothermal complex shall be amended and integrated to include the M-1 replacement plant facilities and operating procedures.	Design, Construction and Operations	Long Valley Fire Protection District (LVFPD)	Confirm and Document Prior to Operations and Monitor Throughout the Project Lifetime
47	<u>HazMat Design Feature 5</u> : No hazardous materials, chemicals, or wastes shall be stored in the new storage yard constructed in the footprint of the decommissioned MP-I plant site.	Operations	MCEDD, Environmental Health and MCCDD Planning Division	Monitor Throughout the Project Lifetime
Hydrology and Water Quality				
48	<u>Hydro Design Feature 1</u> : The M-1 plant site shall drain to a subsurface retention basin. Overflow from this basin shall drain via sheet flow to the surface for percolation.	Design and Construction	MC Public Works Department	Confirm and Document Prior to Operations
49	<u>Hydro Design Feature 1</u> : Short-term and long-term erosion control and stormwater construction best management practices (BMPs) shall be integrated into the interim site reclamation plan for the MP-I plant site.	Construction and Operations	MC Public Works Department and Lahontan RWQCB	Confirm and Document Prior to Construction and Operations, Respectively

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50	<u>Hydro Design Feature 3</u> : M-1 plant site construction BMPs shall be implemented, including: placement of straw wattles and/or silt fencing along the perimeter of the site, and around topsoil stockpiles; and placement of silt fences in drainage swales at the exit point of the site.	Construction	MC Public Works Department and Lahontan RWQCB	Confirm and Document Prior to Construction
51	<u>Hydro Design Feature 4</u> : M-1 plant site post-construction BMPs shall also be implemented, including: the use of erosion control blankets and hydroseeding of slopes created by grading outside of the plant site; the placement of ¾” rock placed in all areas of the plant site that are not covered by pavement or structural concrete; and rock filled trench drains and retention facilities shall provide desiltation of storm water runoff.	Post-Construction	MC Public Works Department and Lahontan RWQCB	Confirm and Document Prior to Operations
52	<u>Hydro Design Feature 5</u> : The M-1 plant site shall be designed and constructed to prevent spills from leaving the site and to prevent runoff from any source being channeled or directed in an unnatural way so as to cause erosion, siltation, or other detriments; a system of pressure and flow sensing devices and regular inspection of all lines, capable of detecting leaks and spills, shall be instituted and maintained for the M-1 plant site facilities; the proposed M-1 plant site shall be integrated into the existing <i>Geothermal Brine Spill Prevention and Response Plan</i> prepared for the Casa Diablo geothermal complex; and a <i>Spill Prevention, Control and Countermeasure Plan</i> (SPPC Plan) shall be prepared for the plant site and integrated into the existing program for hazardous material management and emergency response at the Casa Diablo geothermal complex to, in part, reduce the potential for adverse offsite effects on water resources from spills of geothermal fluid, petroleum hydrocarbons, or hazardous substances from the M-1 plant site.	Design, Construction and Operations	MC Public Works Department, MC Health Department, Environmental Health Division and Lahontan RWQCB	Confirm and Document During Design Approval and then Monitored Throughout the Project Lifetime

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53	<u>Hydro Design Feature 6</u> : No element of the project construction shall result in the alteration of the blue-line drainage channel, or discharge of fill material into, the blue-line drainage channel that crosses the site between the existing MP-I and proposed M-1 plant sites, adjacent to Old Highway 395. Prior to commencement of construction, the Applicant shall provide to the County the proposed engineering design for the road crossing which demonstrates to the County that no impact to this drainage channel would occur as a result of project construction.	Design and Construction	MC Department of Public Works, MCEDD and MCCDD Planning Division	Confirm and Document During Design Approval and Monitor Through Construction
54	<u>Hydro Mitigation Measure 1</u> : Headwalls and sluice gates constructed on culverts draining the Casa Diablo geothermal complex to provide area-wide emergency spill containment and prevent surface drainage from escaping the area shall be inspected and maintained routinely.	Operations	MC Public Works, Environmental Health Department and Lahontan RWQCB	Confirm and Document During Design Approval and then Monitored Throughout the Project Lifetime
55	<u>Hydro Mitigation Measure 2</u> : All geothermal fluid, petroleum product, and hazardous substance spill containment and emergency response plans proposed for the Project shall be maintained current throughout the life of the Project.	Operations	MCEDD, MCCDD Planning Division and MC Health Department, Environmental Health Division	Monitor Throughout the Project Lifetime
23* [Restated]	<u>Hydro Mitigation Measure 3</u> : The MP-I Project shall be subject to the applicable hydrologic and biologic monitoring and remedial action program requirements set forth in the Mono County General Plan (Mono County General Plan, Conservation/Open Space Element, Energy Resources, Goal 1, Objectives C and D), including compliance with conditions addressing hydrologic monitoring and remediation contained in the existing Conditional Use Permit for the MP-II Geothermal Power Plant.	Operations	MCEDD, MCCDD Planning Division and the LVHAC	Monitor Throughout the Project Lifetime

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Noise				
56	<u>Noise Design Feature 1</u> : All noisy construction activities shall be limited to daylight hours.	Construction	MCEDD and MCCDD Planning Division	Monitor During Site Construction
57	<u>Noise Design Feature 2</u> : Noise levels during construction activities shall be kept to a minimum by equipping all on-site equipment with noise attenuation devices.	Construction	MCEDD and MCCDD Planning Division	Monitor During Site Construction
58	<u>Noise Design Feature 3</u> : All project construction activities and normal operations shall comply with applicable County noise requirements.	Construction	MCEDD and MCCDD Planning Division	Monitor During Site Construction
Land Use/Planning				
5** [Restated]	<u>Land Use/Planning Design Feature 1</u> : An Outdoor Lighting Plan shall be prepared and implemented for the M-1 plant site in conformance with the Mono County Dark Sky Regulations.	Design	MC Public Works Department	Confirm and Document During Design Approval
42** (Restated)	<u>Land Use/Planning Design Feature 2</u> : All buildings and structures shall be constructed to meet applicable earthquake safety codes and the 2010 Uniform Building Code adopted by Mono County.	Design and Construction	MCCDD	Confirm and Document During Design Approval
53*** [Restated]	<u>Land Use/Planning Design Feature 3</u> : No element of the project construction shall result in the alteration of the blue-line drainage channel, or discharge of fill material into, the blue-line drainage channel that crosses the site between the existing MP-I and proposed M-1 plant sites, adjacent to Old Highway 395. Prior to commencement of construction, the Applicant shall provide to the County the proposed engineering design for the road crossing which demonstrates to the County that no impact to this drainage channel would occur as a result of project construction.	Design and Construction	MC Department of Public Works, MCEDD and MCCDD Planning Division	Confirm and Document During Design Approval and Monitor Through Construction

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58** [Restated]	<u>Land Use/Planning Design Feature 4</u> : All project construction activities and normal operations shall comply with applicable County noise requirements.	Construction	MCEDD and MCCDD Planning Division	Monitor During Site Construction
10** [Restated]	<u>Land Use/Planning Protection Measure 1</u> : A Landscape Plan shall be prepared to provide visual screening of views of the proposed storage yard to be created in the footprint of the existing MP-I plant site, particularly along the southwestern and southeastern edges of the facility. The Landscape Plan shall be designed to achieve applicable standards set forth in Section 08.010 through 08.060 (Scenic Combining District and State Scenic Highway) of the Mono County General Plan Land Use Element and shall be approved by the County prior to the required decommissioning of the MP-I plant site. Visual screening alternatives could include installing metal slats in the chain link fence; installing and maintaining native vegetation consisting of such species as Jeffery pine, bitterbrush, and sagebrush; or other measures consistent with achieving the applicable County standards.	Prior to the End of Construction	MCEDD and MCCDD Planning Division	Confirm and Document Prior to Plant Operations

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Cumulative Effects				
59	<p><u>Cumulative Bio Mitigation Measure 1:</u> Constraints to wildlife movement through the Casa Diablo Hot Springs area shall be evaluated as part of any new development project proposed in the area. Measures shall be included as part of each new development project that would prevent the respective project from becoming a substantial obstacle to wildlife movement through or around the respective proposed development area. Mitigation measures to reduce cumulative impacts should be project specific, but examples of suggested measures to mitigate cumulative impacts include:</p> <ul style="list-style-type: none"> • Conducting baseline deer studies of proposed projects in the Casa Diablo Hot Springs area and monitoring deer use within and near a new proposed project. • Designing pipeline corridors or other potential physical obstacles to allow for deer and other wildlife movement such that dips, piled soil crossings or other proposed constructs to facilitate wildlife travel through identified major movement corridors are adopted as part of a new proposed project. • Requiring that proposed project lighting be shielded away from identified major deer and other wildlife movement corridors. 	Design, Construction and Operations	MCEDD, MCCDD Planning Division and/or the Responsible Federal Agency and CDFG	Review Baseline Surveys and Impacts on Wildlife Movement Prior to Decisions on Project Approval and Confirm and Document During Design Approval
60	<p><u>Cumulative Bio Mitigation Measure 2:</u> Water which may accumulate in geothermal well site basins from precipitation shall be removed to a standing depth of 2 inches from the respective basins on a daily basis or as soon as operationally feasible; and liquids deposited into the basins shall either be removed daily to a standing depth of 2 inches, or the basins shall be made wildlife escapable by creating earthen ramps at slopes of 1:3 or less at intervals of 100 feet apart or less around the perimeter of the standing depth of the liquid stored in the basin. Alternatives for providing equally effective measures which would allow wildlife to escape unharmed from the well site basins may be authorized subject to Mono County and CDFG approval.</p>	Operations	MCEDD, MCCDD Planning Division and/or the Responsible Federal Agency and CDFG	Confirm and Document During Design Approval

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61	<u>Cumulative Bio Mitigation Measure 3</u> : All existing and future geothermal power plant projects in the Hot Creek buffer zone, or in the vicinity of Casa Diablo Hot Springs, shall be subject to the applicable hydrologic and biologic monitoring and remedial action program requirements set forth in the Mono County General Plan (Mono County General Plan, Conservation/Open Space Element, Energy Resources, Goal 1, Objectives C and D, as may be amended), including compliance with conditions addressing hydrologic monitoring and remediation contained in the existing Conditional Use Permit for the MP-II Geothermal Power Plant.	Operations	MCEDD, MCCDD Planning Division and/or the Responsible Federal Agency and the LVHAC	Require Monitoring and Remedial Action Program with Decisions on Respective Project Approval and Monitor Throughout the Project Lifetime
61* [Restated]	<u>Cumulative Hydro Mitigation Measure 1</u> : All existing and future geothermal power plant projects in the Hot Creek buffer zone, or in the vicinity of Casa Diablo Hot Springs, shall be subject to the applicable hydrologic and biologic monitoring and remedial action program requirements set forth in the Mono County General Plan (Mono County General Plan, Conservation/Open Space Element, Energy Resources, Goal 1, Objectives C and D, as may be amended), including compliance with conditions addressing hydrologic monitoring and remediation contained in the existing Conditional Use Permit for the MP-II Geothermal Power Plant.	Operations	MCEDD, MCCDD Planning Division and/or the Responsible Federal Agency and the LVHAC	Require Monitoring and Remedial Action Program with Decisions on Respective Project Approval and Monitor Throughout the Project Lifetime
61* [Restated]	<u>Cumulative Land Use/Planning Mitigation Measure 1</u> : All existing and future geothermal power plant projects in the Hot Creek buffer zone, or in the vicinity of Casa Diablo Hot Springs, shall be subject to the applicable hydrologic and biologic monitoring and remedial action program requirements set forth in the Mono County General Plan (Mono County General Plan, Conservation/Open Space Element, Energy Resources, Goal 1, Objectives C and D, as may be amended), including compliance with conditions addressing hydrologic monitoring and remediation contained in the existing Conditional Use Permit for the MP-II Geothermal Power Plant.	Operations	MCEDD, MCCDD Planning Division and/or the Responsible Federal Agency and the LVHAC	Require Monitoring and Remedial Action Program with Decisions on Respective Project Approval and Monitor Throughout the Project Lifetime

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62	<u>Cumulative Aesthetics Protection Measure 1</u> : Applicable Mono County lighting standards shall apply to all projects in the Casa Diablo geothermal development complex.	Construction and Operations	MCEDD and MCCDD Planning Division	Confirm and Document During Respective Project Design Approval
63	<u>Cumulative Air Quality Protection Measure 1</u> : Vehicle speeds shall be restricted to a maximum speed of 15 miles per hour for project-related travel on all unpaved access roads. Vehicle speed limits shall be posted in conformance with applicable Mono County and/or U.S. Forest Service (USFS) requirements and restrictions.	Construction and Operations	MCEDD, MCCDD Planning Division and/or the BLM, USFS and GBUAPCD	Require with Decisions on Respective Project Approval and Monitor Throughout the Project Lifetime
<p>* The monitoring entities identified by abbreviation in these tabulated Conditions of Approval are as follows:</p> <p>BLM ≡ U.S. Department of Interior, Bureau of Land Management CDFG ≡ California Department of Fish and Game CDOGGR ≡ California Division of Oil, Gas and Geothermal Resources GBUAPCD ≡ Great Basin Unified Air Pollution Control District LVFPD ≡ Long Valley Fire Protection District LVHAC ≡ Long Valley Hydrologic Advisory Committee MCCDD ≡ Mono County Community Development Department MCEDD ≡ Mono County Economic Development Department RWQCB ≡ Lahontan Regional Water Quality Control Board USFS ≡ U.S. Department of Agriculture, Inyo National Forest</p>				