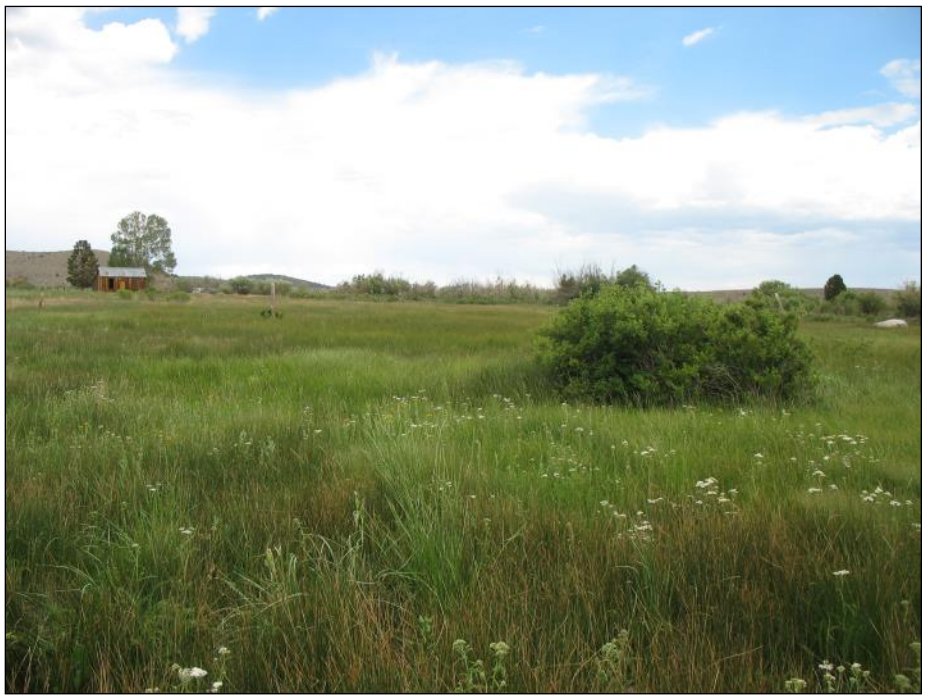
# Conway and Mattly Ranches Conservation Easement

**Mono County, California**

EASTERN SIERRA LAND TRUST



## BASELINE DOCUMENTATION REPORT

**Eastern Sierra Land Trust**
**P.O. Box 755**
**Bishop, CA 93514**

**NOVEMBER 3, 2014**

**Conway and Mattly Ranches Conservation Easement**

# Baseline Documentation Report

## Acknowledgement of Property Condition

The undersigned accept and acknowledge that this Baseline Documentation Report is an accurate representation of the property at the time the Conservation Easement was transferred to the grantee.

**Grantor** _____ **Date:** 11/24/14

Larry K. Johnston: Chairman, Board of Supervisors

For **MONO COUNTY**

**Grantee** _____ **Date:** Nov 20, 2014

Kay Ogden: Executive Director

For **EASTERN SIERRA LAND TRUST**

## 2. Methodology

This Baseline Documentation Report was prepared jointly by Karen Ferrell-Ingram as Project Manager and Aaron Johnson as Lands Director for Eastern Sierra Land Trust (ESLT). Karen was a founding board member with ESLT in 2001 and later worked as Lands Director and Executive Director through April of 2013. Aaron prepared the current conditions and property photography sections of the report as well as the supporting maps. Aaron holds a Bachelor's Degree in Environmental Studies from University of California, Santa Cruz and has more than 10 years of professional experience in natural resource related positions as well as specific training in Baseline Documentation from the Land Trust Alliance. Aaron has works in the ESLT Lands Program for the past 6 years.

Data for this report and photos were obtained from numerous site visits conducted by ESLT staff March through September of 2014, the Conway Ranch combined Specific Plan and Final Environmental Impact Report, studies of the area, interviews with county staff and representatives, Natural Resource Conservation Service (NRCS) soil surveys, topographic maps and recent aerial photographs. Maps in this report are based on the best available data which included information provided by Mono County, California Spatial Information Library, the National Agriculture Imagery Program (NAIP) of the Farm Service Agency, U.S. Department of Agriculture, aerial photo interpretation, and limited field mapping utilizing a consumer grade GPS receiver where necessary. Boundaries and features shown in figures and photos are approximate and should not be considered as a survey.

The purpose of this baseline documentation report is to provide an accurate representation of the property at the time of the grant of the easement to aid in the monitoring and enforcement of the conservation easement.

## 3. Background Information

### 3.1 Property Introduction

The Conway and Mattly Ranches Conservation Easement encompasses approximately 808 noncontiguous acres of irrigated meadows, wetlands, riparian habitat, and upland sagebrush scrub in the northwestern portion of the Mono Basin, about two miles northeast of Mono Lake (Figure 4). The Conway Ranch portion of the property includes approximately 648 acres, and the Mattly Ranch portion 160 acres (together the "property"). The historic ranch site on Conway Ranch, with ranch house, corrals, and remnants of other old structures, dates back to the days of the California Gold Rush when the property was used to produce food for the mining town of Bodie, which is about 24 miles by vehicle from the property. The property is located at the base of Conway Summit one mile to the north and is about seven miles north of the town of Lee Vining. The community of Mono City is located about two miles to the south. The Mono Basin National Forest Scenic Area is approximately one quarter mile from the property.

The Conway and Mattly portions of the property are separated by U.S. Highway 395, a state and county-designated Scenic Highway. It is adjacent to lands owned by the Bureau of Land Management, State of California, City of Los Angeles Department of Water and Power, and Southern California Edison (Figure 1). In addition, the property is adjacent to the eight privately owned parcels of Tract Map 34-13 which were developed prior to the acquisition of the property by Mono County in 2000. There are remnants of the once planned subdivision on County owned property such as paved streets, electricity infrastructure, and street signs.

Much of the property, both Conway and Mattly, is under a sheep grazing lease and is irrigated by the lessee to provide forage. There is an aquaculture infrastructure located on the south end of the Conway portion of the property that is currently fed by surface water diversions from Wilson Creek. The Mattly portion of the property contains the powerhouse tailrace from the adjacent Southern California Edison hydroelectric power plant and associated infrastructure.

### 3.2 Ownership Information

The property is owned by Mono County:

P.O. Box 715
Bridgeport, CA 93517

The current Mono County contact for Conway Ranch is Tony Dublino:

P.O. Box 715
Bridgeport, CA 93517
Phone: (760) 932-5453 (office)
e-mail: tdublino@mono.ca.gov

### 3.3 Ownership History

A report by Julia G. Costello, Ph.D. and Judith Marvin of Foothill Resources, Ltd. entitled "Conway Ranch Cultural Resources Study (2002)" states, "A portion of what is now known as the Conway Ranch was homesteaded in 1872 by James Wilson and Harlan P. Noyes, who probably built the home that still stands on the property. After passing through two other owners

(John McGee and Jesse Summers), the ranch was purchased by James Sturgeon, who began to acquire parcels in the area in the 1890s. In 1903 Sturgeon sold his 900 acre ranch to John Conway, a young Canadian, who moved there from Bodie."

Mattly Ranch was named for Fred Mattly (Calhoun, 1984). The property was originally homesteaded by a Mr. Cavin in 1894 and by J.B. Skewes. At some later date, a Mr. Harvey leased the land where Mattly had lived, and started a dairy. The land was later purchased by Katie Conway Bell's brother-in-law and sister, Gene and Gladys Crosby, who sold it to the Conway Ranch Partnership (Burton, 1987).

A daughter of John Conway, Katie Conway Bell, sold her 222 acre portion of the Conway Ranch property to John Fredrickson in 1980. Mr. Fredrickson subdivided a portion of this property into 108 lots in 1981, eight of which were quickly sold, when the other two Conway siblings, Richie and Gladys, offered to sell him their properties, too. Mr. Fredrickson formed the Conway Ranch Partnership with Dr. Arnold Beckman to develop the entire ranch. This partnership succeeded in gaining approval of a Specific Plan from Mono County, which included 600 units of housing, a 27-hole golf course, an equestrian center, conference facilities, a shopping center, and a fly-fishing resort. While this development was never built, six houses were built in the subdivision before lot sales were halted during the Specific Plan process, with one more constructed since. Mr. Fredrickson sold out to Dr. Beckman in 1993 or 94 (John Fredrickson, personal communication, June 16, 2014).

In 1995, The Trust for Public Land (TPL) acquired an option to purchase the property and thereafter approached Mono County about a potential transaction that would result in TPL exercising its option in order to then sell the property to Mono County. The County was receptive to the concept, provided that funding could be acquired from grant sources. In 1997, the TPL entered into a Memorandum of Understanding with Mono County, followed by a Purchase and Sale Agreement, to effectuate such a transaction. Accordingly, in 1998, TPL purchased the 1,031 acre property and certain associated water rights from Dr. Beckman. By the end of 2000, TPL had conveyed approximately 808 acres to Mono County and 220 acres to the Bureau of Land Management in a complex, multi-phase real estate transaction that utilized federal, state, and foundation grant funding.

Specifically, grant funds came from the California Environmental Enhancement and Mitigation Program (EEMP), the California Transportation Enhancement Activities (TEA) Program, the California Department of Parks and Recreation – Habitat Conservation Fund (State Parks), and the National Fish and Wildlife Foundation (NFWF). The property was acquired in phases through two distinct real estate transactions, one in 1998 and one in 2000. Money from EEMP and State Parks grants was used in both transactions. Money from the NFWF grant was used only in 1998 transaction; and money from the TEA grant was used only in the 2000 transaction. The basic purposes of the various grants are compatible with each other and, in many instances, are duplicative or overlapping. In general, the purposes of these grants were to protect and preserve the natural, open space, scenic, historic, habitat, and public access values of the property in perpetuity, while allowing for the continuation of the existing fish-rearing, sheep grazing, and public access. Grant Agreements were signed by Mono County and each of these funding agencies, obligating the County to the protection of these values as a condition of receiving the grant funding.

## 3.4 Summary of Significance and Public Benefit

The Conway and Mattly Ranches contain significant wetland, habitat, scenic, open space, public access, and historic values. The property contains several fresh-water springs, extensive wetlands and irrigated meadows, and the riparian values associated with Wilson Creek, which crosses the property. The wet meadows on the property hold many habitat values and important plants.

A portion of the Mono Lake mule deer herd migrates through the property to and from their summer range in the Sierra Nevada to the west of the property. Mountain lions are known to follow migrating mule deer and prey upon them. The Bi-State sage-grouse, which is currently proposed to be listed as threatened by the United States Fish and Wildlife Service, has been documented on the property. In the studies performed by Beak Consultants Incorporated, 1990, raptors such as Northern harriers, red-tailed hawk, and prairie falcon were documented on the property. Waterfowl such as mallards and teals, and other wetland associated birds such as great blue heron and Wilson's snipe are found on the property. Songbirds, some neotropical migrants, such as yellow warblers, orange crowned warblers, Wilson's warblers, and lazuli bunting utilize the property for nesting and shelter. Sagebrush dependent birds found on the property, in addition to the Bi-State sage-grouse, include sage sparrow, sage thrasher, green-tailed towhee, and Brewer's sparrow (Beak Consultants, 1990).

The property is an important scenic resource to the millions of yearly travelers on U.S. Highway 395, which crosses the property. The popular scenic overlook near the top of Conway Summit to the north attracts tourists and travelers who enjoy the expansive views over Conway Ranch, Mono Lake, and the entire Mono Basin. The property is within one quarter mile from the Mono Basin National Forest Scenic Area, which was established in 1984 to protect the unique features and ecosystems of Mono Lake and the surrounding basin.

The open spaces found on the property are of value as habitat for migrating wildlife, including the Mono Lake mule deer herd and the Bi-State sage grouse. Open space on the property contributes to the scenic values appreciated by residents and travelers in the region and state.

Public access is an important value to the local residents and to visitors seeking to enjoy the special resources on the property. Recreational activities known to occur on the property include hiking, birding, fishing, hunting, snowmobiling, photography, and sight seeing.

Historic resources on the property include an 1870s ranch house and associated remnants of buildings and corral. Site specific studies document prehistoric resources dating from some 10,000 years ago. Reports also state that Chinese laborers constructed the irrigation ditches that diverted water from Virginia and Mill Creeks to provide drinking water to the ranch families and to irrigate the meadows.

## 4. Property Description

### 4.1 Directions to the Property

The property is located approximately 340 miles north of Los Angeles, 140 miles south of Reno, 18 miles south of Bridgeport, and seven miles north of Lee Vining. Conway Ranch can be accessed by turning east on State Highway 167 from U.S. Highway 395, then taking the first left, an umarked dirt road which is approximately 100 yards from the junction between the two highways. Take this dirt road approximately 0.6 miles to reach the entrance to Conway Ranch and the Aquaculture Area. The northern portions of Conway Ranch and the old ranch house can be accessed from U.S. Highway 395 on Conway Ranch Road, which is located 1.8 miles north of the junction with State Highway 167. Mattly Ranch can be accessed by turning west off of U.S. Highway 395 on Mill Creek Powerhouse Road, which is 0.4 miles north of State Highway 167.

### 4.2 Legal Information

#### 4.2.i Legal Description

Mono County is the owner in fee simple of certain real property located in Mono County, California, consisting of approximately 808 acres, as more particularly described in the legal description (Exhibit A). The property is comprised of twelve (12) parcels of land and is also identified as (i) Assessor Parcel Numbers 19-100-020, 19-100-019, 19-110-016, 11-200-009, 11-200-010, 11-280-021, 19-100-008, and (ii) Conway Ranch Subdivision parcels consisting of Assessor Parcel Numbers 19-200, parcels 1 through 6, 10 through 12, 17 through 50 (43 Assessor Parcels, ) and 19-210, parcels 6 through 11, and 16 through 59 (50 Assessor Parcels)

#### 4.2.ii Current Zoning

Mono County is currently working toward repealing the Conway Ranch Specific Plan that was adopted in 1990 to allow for the development of the property. A Mono County General Plan update is in process through the Mono County Community Development Department that will repeal the Specific Plan and redesignate the lands to an appropriate designation that reflects the current restrictions and intent. As stated in the Notice of Preparation of an Environmental Impact Report for the Mono County Regional Transportation Plan and General Plan Update (June 2014), "In order to reflect existing property restrictions and uses, it is proposed to replace the 1990 Conway Ranch Specific Plan with an open space designation on all but the existing developed residential parcels, which would be designated single family residential." It is expected that the General Plan update will be adopted in 2015.

Any development within the designated Aquaculture Area is required by the Conservation Easement to comply with the Mono County Dark Sky Ordinance (Exhibit I).

#### 4.2.iii Title policy

### 4.3 Land Use

#### 4.3.i Historic Land Uses

The property was utilized by the Mono Lake Paiute Indians prior to the first settlements by Euroamericans in the mid-nineteenth century. Although the Mono Lake Paiutes were not known to practice agriculture on the property, prehistoric resources have been documented on the

property that indicate extensive Native American use starting as early as 3500 BC up to the historic period (Burton, 1987; Costello and Marvin, 2002). Further information on Native American history on the property is on file with Mono County and Eastern Sierra Land Trust.

The Conway portion of the property was homesteaded in 1872 by James Wilson and Harlan P. Noyes (Mono County Recorder's Office, Book of Deeds: Book D: 517-520 as cited by Burton, 1987). At this time in the Mono Basin, land uses related to ranching, farming, mining, and logging increased substantially, with agricultural settlement most active between 1878 – 1882, when the mines of Bodie, Monoville, and Aurora were at peak production. Bodie alone had perhaps 10,000 people residing in there in the summer of 1881. According to a report from 1880, more than 2000 acres near Mono Lake were in farming production at that time (Jones and Stokes, 1993). The main agricultural crops were hay, grains, vegetables, meat, and dairy products.

Mattly Ranch was named for Fred Mattly, who was one of at least seven Mattly men who were among the earliest pioneers in the Mono Basin. The property was originally homesteaded by a Mr. Cavin 1894 and by J.B. Skewes. The concrete foundation on the property is of uncertain origin but it is thought to be the location of Fred Mattly's home before it blew down in a severe windstorm around 1908. At some later date, a Mr. Harvey leased the land where Mattly had lived, and started a dairy. A fire destroyed all the ranch structures and perhaps the dairy (Burton, 1987). The Mattly Ranch has long been utilized for sheep grazing.

The agricultural and residential value of both portions of the property was enhanced significantly by the diversion of water from a stream to the south, Mill Creek, and a stream to the north (actually in the Walker River Watershed), Virginia Creek. The ditches were first built in the 1870s by Chinese laborers (Costello and Marvin, 2002). This water was used to create the irrigated meadows that exist to this day, which were utilized to raise crops, cattle and more recently, sheep. According to an interview with Mrs. Katie Conway Bell, no wells were drilled on the property but water from a spring west of the ranch house was tapped and the water was piped to the house for indoor running water (Burton 1987).

John Conway purchased the property from James Sturgeon in 1903. The property included a ranch house and large shed, which was soon enlarged with two bedrooms by the Conways. The Conway family made their living from a variety of agricultural endeavors including grazing cattle, raising hogs, growing hay and vegetables, in addition to operating a dairy. Produce was stored in a cellar located north of the house. The family was known to grow a large amount of hay, which they hauled to Bodie, Lundy, and Mono Mills via a twelve-horse team (Burton, 1987) In 1918 the family moved to Bishop, spending the summers in the Mono Basin. In 1939, the ranch was leased to the Basque Saldahar Brothers who grazed sheep on it, and who constructed the existing corrals. At that time, the Conway family moved several ranch buildings to the east onto "Little Conway Ranch" where they continued to spend their summers. This property was acquired by the Bureau of Land Management in 2000 from The Trust for Public Land. The BLM has restored and stabilized the buildings, in addition to constructing interpretation panels.

In 1909, the first hydroelectric facility in the Mono Basin was constructed at the now vanished community of Jordan, formerly located ½ mile southwest of Mattly Ranch at the base of Copper Mountain. Water from Mill Creek, which was already diverted to the property for irrigation, was

further diverted to the Jordan Power Plant which was situated in the Wilson Creek drainage to the north of Mill Creek. In 1911, an avalanche destroyed the power plant and community, killing eight people, however the plant was rebuilt in a safer location and operates today as the Lundy Powerhouse, adjacent to the Mattly Ranch. (Youngue and Harris, 1975, as cited in Triad Engineering, 1988).

U.S Highway 395 which runs through the Conway Ranch portion of the property was preceded by one of the earliest roads from the Mono Basin to Bridgeport, which ran up the canyon where the Virginia Creek ditch comes down. After World War I, the new road (El Camino Sierra) was cut into the mountains to the north and named for Conway Ranch – Conway Summit or Grade.

4.3.ii Surrounding Land Uses

The majority of the adjacent lands to the Conway Ranch portion of the property are owned and managed by the Bureau of Land Management. The BLM land to the east of the property is also grazed by sheep and irrigated by F.I.M. Corporation, including the Rancheria Gulch grazing allotment in the Bodie Hills. The BLM and Mono County entered into a Memorandum of Understanding (MOU) on May 8, 2001 that describes their intention to cooperatively manage Conway Ranch. A copy of the MOU is included as Exhibit G of the Management Plan.

The State of California owns land on the north side of the property, which although lacking a specific designation, was originally purchased to preserve the migratory habitat of the Mono Lake mule deer herd (Personal Comment, Tim Taylor, California Department of Fish and Wildlife).

The City of Los Angeles Department of Water and Power owns land that meets the southwest corner of the Aquaculture Area.

Mattly Ranch is bordered by BLM land to the west and east, and LADWP land to the west, east, and north. Both of these land management agencies formerly leased their land for sheep grazing but have discontinued that use based on recommendations from the U.S. Fish and Wildlife Service due to concerns for the nearby Sierra Nevada bighorn sheep, a federally endangered species (Mono County, March 2007). Southern California Edison owns land to the south of the property where they operate the Lundy Powerhouse.

4.3.iii Current Land Uses

Sheep Grazing

Both Conway and Mattly portions of the property are seasonally grazed by sheep under a contract with F.I.M. Corporation, a Nevada Corporation. The lease runs from November 15, 2012 to November 15, 2017. A copy of the lease is included as Exhibit F of the Management Plan. The lessee must not allow sheep within 100 feet of the fish rearing facility, and must keep sheep away from springs, wetlands, and creeks.

Irrigation

Irrigation flows and maintenance of irrigation ditches and infrastructure on the Conway Ranch and Mattly Ranch is controlled by the “Irrigation Specialist.” The contract is currently held by F.I.M Corporation. This “irrigation specialist” is a term that was developed to encompass the

"Conway Ranch Caretaker" term as well as "Water Master" term that had been used in other agreements.

Aquaculture

The Conway portion of the property has been the location of a commercial fish rearing operation but as of July, 2014, Mono County has no licensee in place to raise fish. John Fredrickson dug the first fish raceways after he bought 222 acres from Katie Conway Bell in 1980. Mr. Fredrickson raised fish on the property in part to supply his private fishing club on the Rosachi Ranch on the East Walker River in Nevada (John Fredrickson, personal communication, June 16, 2014). When Mono County took ownership of a portion of the property in 1998, it assumed an existing trout lease between the Trust For Public Land and Tim Alpers, under which Mr. Alpers was allowed to rear fish in the fish raceways and ponds on the property. After that lease expired in 1999, the County entered into a fish-rearing agreement with the nonprofit Eastern Sierra Fish Enhancement Foundation, which allowed the Foundation to use the property's existing fish-rearing facilities to raise fish that would be planted in Mono County waters. The County and the Foundation entered into a similar agreement in 2001, which the Foundation ultimately terminated in 2005. The County then formally requested proposals from interested parties to engage in fish-rearing on the property. And as a result of that process, the County ultimately entered into an aquaculture agreement with Inland Aquaculture Group in 2006

Powerhouse Tailrace and Associated Infrastructure

In 1911, the Southern Sierra Power Company, a predecessor to Southern California Edison (SCE), completed construction of the Lundy Hydroelectric Project. Currently, SCE operates the Lundy Powerhouse and manages the surface elevation of Lundy Lake Reservoir for purposes of power generation. The water is diverted from the Lundy Lake Reservoir and is transported via pipeline and penstock to the Lundy Powerhouse. This water was adjudicated by the Mono County Superior Court in 1915 (with judgment entered nunc pro tunc as of November 30, 1914), and water rights are shown in Table 1. The water exits the power plant and into the powerhouse tailrace (approximately 1,570 feet long). Tailrace flows can be immediately diverted (within the first 20 feet of the powerhouse itself) into the Upper Conway Ditch, which irrigates Mattly Ranch. Remaining flows are then divided between the Mill Creek Return Ditch and Wilson Creek, at the end of the tailrace. There is a splitter box located at that point that was designed to send a portion of the water back to Mill Creek, based on the adjudicated water rights. Over time, the Mill Creek Return Ditch has become degraded and has been out of operation since 2005 (Mono Lake Newsletter, 2011) causing all Mill Creek water to flow into Wilson Creek.

Research

A Global Positioning System has been installed in an abandoned borehole site located within the subdivision area. This unit was installed by UNAVCO Plate Boundary Observatory and is maintained by this group. The unit consists of a pipe, antenna, and dome with a total height of about five feet. In addition, there is an enclosure unit that houses communication equipment, batteries, and a GPS receiver, topped by solar panels. The purpose of this equipment is to measure the motion of the ground as part of an array of hundreds of similar units located across the western United States that are studying tectonic and volcanic forces.

4.3.iv Mono County Ordinance: Public Use of Conway Ranch

Public use of the property is governed by a Mono County Ordinance (Chapter 13.40 Public Use of Conway Ranch), which was enacted June 7, 2011 (Exhibit J). The prohibitions include:

**13.40.020 Prohibitions.**

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

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

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

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

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

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

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

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

B. Exception. The foregoing prohibitions shall not apply to the county or its authorized agents, employees, contractors, lessees, or licensees, nor shall they be construed as preventing any person from entering, occupying, or utilizing Conway Ranch or the licensed fish-rearing and fishing area in accordance with any permission granted to them by the county or by its authorized agents, employees, contractors, lessees, or licensees.

4.4 Geology, soils, and climate

The geologic forces that shaped the Mono Basin, where the property is located, include ice-age glaciers, extensive faulting that lifted the Sierra Nevada while nearby valleys were sinking, and volcanic activity, especially in the Mono Craters area in the south of the basin. Mono Lake is one of the few examples of the many lakes that existed in past geologic epochs that still holds water. It is now much smaller than it was 13,000 years ago, when it was 28 miles long by 18 miles wide, and as much as 900 feet deep (Smith, 2000). Sediment has filled the basin through the flow of water and material down from surrounding mountains. The property is located in the northwestern corner of the Mono Basin, tucked between Mono Lake and the Sierra Nevada to the west.

According to a site-specific study (Applied Geotechnology Inc., 1987), the property is underlain by a variable thickness of unconsolidated sediments resting on metamorphic and granitic bedrock. There are Holocene aged alluvial fan deposits, which have been washed down from the adjacent mountains and fine grained Pleistocene lake bed deposits from prehistoric Lake Russell, the fresh water Pleistocene predecessor to Mono Lake. Bedrock is close to the surface in the northeast quarter of the property and across the southern edge. There may also be a bedrock high trending north-south near the middle of the property. This bedrock high separates a central basin from another basin in the southeast quarter of the property.

Surficial soils are almost exclusively alluvial deposits of varying thickness consisting of well-graded fine to coarse silty sands and sandy loams with an occasional gravel fraction. Soils on the property are described in detail in a Custom Soil Resource Report that was derived from the Soil Survey for the Benton-Owens Valley Area Parts of Inyo and Mono Counties, California, by the Natural Resources Conservation Service (Exhibit C). Just over 50% of the property consists of the Conway sandy loam soil type (Map Unit Symbol 168). This soil type contains the parent materials of volcanic ash and alluvium derived from mixed sources. It is considered poorly drained with a depth to the water table of about six to 48 inches. The frequency of flooding is occasional. This soil type is considered to be prime farmland if irrigated and drained and is ecologically classified as a wet meadow.

Approximately 16% of the property is considered to be in the DeChambeau- very gravelly complex (Map Unit Symbol 181). This soil type contains the parent materials of volcanic ash and alluvium derived from mixed sources. It is considered well drained with a depth to the water table of more than 80 inches. The frequency of flooding is none. According to the NRCS Custom Soil Resource Report, this soil type is considered farmland of statewide importance and is ecologically classified as a lake terrace.

Approximately 12% of the property is considered to be in the Warrior-very gravelly, sandy loam complex (Map Unit Symbol 346). This soil type contains the parent materials of alluvium derived from mixed sources. It is considered well drained with a depth to the water table of more than 80 inches. The frequency of flooding is rare. This soil type is considered not prime farmland and is ecologically classified as a gravelly sandy fan.

Approximately 11% of the property is considered to be in the DeChambeau-very gravelly, sandy loam complex (Map Unit Symbol 180). This soil type contains the parent materials of volcanic ash and alluvium derived from mixed sources. It is considered well drained with a depth to the water table of about 80 inches. The frequency of flooding is none. According to the NRCS Custom Soil Resource Report, this soil type is considered prime farmland if irrigated and is ecologically classified as gravelly coarse loamy.

Other soil types found on the property in smaller amounts include Dechambeau gravelly sandy loam, Dechambeau-Orecart complex, Fluvaquentic Endoaquolls-Xerofluvents complex, and Xeric Haplargids.

Precipitation has been estimated for the property at 13.5 inches (Mono County, 1990). The great majority of precipitation in the Mono Basin falls as snow in the winter.

Long term measurements of air temperature are not available for the property but two monitoring sites near Lee Vining have measured an average temperature maximum of 62°F and average minimum of 34°F. At Conway Ranch, summer temperatures range from the mid-40s to mid-80s, and winter temperatures range from 20°F to 40°F. The Conway Ranch area has a frost-free growing period of 45-130 days (Triad Engineering, 1988).

## 4.5 Hydrology

Many details about the hydrology of the property are discussed and explained in the technical report produced by Applied Geotechnology in 1987 in relation to the proposed development of the property, and this report should be considered as important background information for understanding the water resources on the property (Applied Geotechnology Inc., 1987). In addition, the property's hydrology is discussed at length in the North Mono Basin Watershed/Landscape Analysis and Appendices which was a multi-agency analysis produced by the U.S. Forest Service in 2001 (USDA-Forest Service, 2001). These studies, as well as others, are synthesized by Hydrologist Rick Kattelmann, in the Mono Basin Watershed Assessment produced in 2007 (Mono County, 2007).

Groundwater on the property occurs under water table conditions in the unconsolidated sediments overlying bedrock. The saturated thickness of the water table aquifer was approximately 65 to 70 feet in 1987. Depth to the water table ranged from 5-6 feet in the central portion of the property to 68 feet in the extreme southeast corner (Applied Geotechnology, 1987).

There are at least two freshwater perennial springs on the property, located on the north end of Conway Ranch. These springs flows into the wet meadows to the south.

The surface water flows on the property have been extensively modified by the diversions of water onto the property from Mill Creek to the south, which forms Wilson Creek at the powerhouse tailrace on Mattly Ranch, and from Virginia Creek to the north on Conway Ranch. Water from Lundy Lake Reservoir is diverted to the Southern California Edison's Lundy Powerhouse and becomes Wilson Creek at the splitter box below the powerhouse tailrace and flows through both portions of the property. Wilson Creek usually flows out into Mono Lake, although in very dry years it may not make it to the lake. Water diverted from Virginia Creek flows into the settlement pond near the northwest corner of the property, which is then diverted into ditches that irrigate the north end of the property, including the Bureau of Land Management's Little Conway Ranch property. The surface water from both the Virginia Creek diversion and Wilson Creek serve to recharge to the water table aquifer (Applied Geotechnology, 1987).

### Conway Summit (Virginia Creek) Diversion

This ditch was constructed in the 1860s or 1870s, bringing water from Virginia Creek, which is in the Walker River watershed basin, off of Conway Summit down to the northwest corner of Conway Ranch. This diversion is conducted under water rights adjudicated and confirmed by Federal Court Decree C-125 (1936). The Court Decree set the diversion right at 6 cubic feet per second (cfs) during the period from March 1 to October 31. The poor condition of the ditch limits the actual amount that flows onto Conway Ranch by a significant amount, according to the Applied Geotechnology report (1987) that estimated actual flow to be 2.3 cfs.

### Wilson Creek

In its natural condition, Wilson Creek was an ephemeral drainage course that drained the mountainous areas to the west and north of the property. Sometime in the 1870s, water was first diverted from Mill Creek over to the Wilson Creek drainage to the north. Early diversions were for the purpose of seasonal irrigation of the land for agricultural activities such as livestock

grazing and farming. With the construction of the Lundy Powerhouse in 1911, flows were managed for power production throughout the year and Wilson Creek consequently developed properties of a perennial natural stream (USDA-Forest Service, 2001).

The slope of Wilson Creek is less than 3% over most of the channel length. Wilson Creek averaged 2' deep and 13' wide in the summer of 1990 (California Department of Fish and Game, 1998, as cited in USDA-Forest Service, 2001). In 1997, average canopy cover along the entire stream was 34%, with over 50% of the 57 identified species along Wilson Creek obligate or facultative wetland species (USDI Bureau of Land Management, 1997).

Due to power plant operational needs, the flow in Wilson Creek can fluctuate significantly on a daily, seasonal and annual basis. The typical pattern of discharge in Wilson Creek is 5-10 cfs from October through March, increasing flows April through May, and with an annual maximum near 60 cfs in June or July. These high flows can account for as much as 70% of the total annual flow in a six-week period. Flows decline through August, September and October. Diversions from Wilson Creek from the Bell and Bowl ditches typically amount to approximately 7 cfs (USDA-Forest Service, 2001).

Some other characteristics of streamflow in Wilson Creek were described in the environmental studies for the Conway Ranch Estates proposal conducted in the 1980s. This report noted a daily discharge from the Lundy powerhouse that averaged 24 cfs and ranged from 0 to 70 cfs. Annual streamflow averages in Wilson Creek for dry and wet years were 10 cfs in 1976 and 1990, and 41 cfs in 1982, respectively. Also the median discharge was 8 cfs in dry years, 14 cfs in normal years, and 24 cfs in wet years (Beak Consultants 1990, as cited in USDA-Forest Service, 2001).

4.6 Improvements

On the north end of the Conway Ranch portion of the property stands one historic ranch house, a corral, and remnants of other historic buildings that are no longer standing. These buildings are accessed by a gravel road called Conway Ranch Road that exits east off of U.S. Highway 395. There is a settlement basin where the Virginia Creek diversion enters the property and where two irrigation ditches originate. There is another settlement basin located on the north side of Conway Ranch Road that collects run-off from the highway above it.

Within the Aquaculture Area on the south end of the Conway Ranch portion of the property, there are numerous raceways, ponds, and ditches (shown in more detail in Figure 5). The Aquaculture Area is accessed by a gravel road that exits from State Highway 167 and a gravel road that travels along the south boundary of the property from the Conway Ranch Estates subdivision. There are some fences on the Conway Ranch portion of the property but most are in disrepair.

The Mattly Ranch portion of the property has no buildings but does contain a concrete foundation located near the eastern boundary. There is a well maintained gravel road that crosses a corner of the property, exiting from U.S Highway 395, that is used to access the SCE Lundy Powerhouse. The powerhouse tailrace flows across the southeast corner of Mattly Ranch, with a small section of the Mill Creek Return Ditch splitting off from the tailrace. Cemetery Road crosses the property, ending at the historic small cemetery where victims of the 1911 avalanche were buried.

## 5. Resources and Conservation Values

### 5.1 Biological Characteristics

#### 5.1.i Habitat and Vegetation

Plant communities found on both portions of the property are primarily the Big Sagebrush plant community in upland areas which surround the wetland and spring areas known as Baltic rush marshes, and irrigated Douglas' sedge meadows. Riparian vegetation known as Sandbar willow thickets can be found along Wilson Creek, the settlement basin where the Virginia Creek diversion ditch enters the property, and established along irrigation ditches on Mattly Ranch. Plant community designations follow "A Manual of California Vegetation, Second Edition" by John O. Sawyer, Todd Keeler-Wolf, and Julie M. Evens.

In 1987, as part of the environmental analysis for the Conway Ranch development, botanical surveys were completed. A plant list was compiled (Exhibit E), which contains now outdated names for plants but is still useful for understanding the flora of the property.

Big Sagebrush Plant Community

The dominant plant in the Big Sagebrush plant community is Great Basin sagebrush (*Artemisia tridentata*). Great Basin sagebrush is distributed throughout the Intermountain West and is a common plant in the Mono Basin. On the property it occurs with other plants such as antelope bitterbrush (*Purshia tridentata*), rubber rabbitbrush (*Ericameria nauseosa*), desert peach (*Prunus andersonii*), and yellow rabbitbrush (*Chrysothamnus viscidiflorus*). Native bunch grasses are important components of the Big Sagebrush community, such as sand rice grass (*Stipa hymenoides*), Great Basin wild rye (*Elymus cinereus*), and needle and thread grass (*Stipa comata*). Common herbs found among Big Sagebrush on the property include lupine (*Lupinus* sp.), desert paintbrush (*Castilleja chromosa*), and milk-vetch (*Astragalus* sp.).

The Big Sagebrush plant community is important to a number of wildlife species for food and cover. Some of these species occur primarily in sagebrush communities such as the Bi-State greater sage-grouse, Brewer's sparrow, green-tailed towhee, sage thrasher, and pygmy rabbit. Other species utilize the habitats found in the broad variety of plants that occur within this plant community such as the mule deer, American badger, mountain lion, bobcat, coyote, black-tailed jackrabbit, kangaroo rat, and various other rodents.

Douglas' Sedge Meadow Plant Community

Douglas' sedge meadow is classified as a dry montane meadow or perennial grassland in somewhat alkaline soils that may have been disturbed, flooded, and grazed. On the property these areas are dependent on seasonal irrigation and could convert to a shrub community if irrigation is ceased. Douglas' sedge (*Carex douglasii*) is common in this community along with many other species such as Nebraska sedge (*Carex nebrascensis*), Western blue flag (*Iris missouriensis*), and freeway sedge (*Carex praegracilis*). Assorted species from neighboring plant communities can be found in the irrigated dry meadows such as sandbar willow (*Salix exigua*), rubber rabbitbrush, and assorted rhizomatous grass and sedge species. Yellow willow (*Salix lutea*) thickets also occur in the dry meadow in the northwestern portion of the Conway property.

This plant community is important for the resident and migratory wildlife species that utilize the property. In addition to the species mentioned above, these areas are especially important to raptors such as the Northern harrier, red-tailed hawk, and American kestrel. Yellow willow provides good habitat for songbirds such as yellow warbler, lazuli bunting, and various flycatchers. The Western meadowlark nests in dried grass in these areas. The mountain cottontail uses the edge habitats between plant communities for cover and foraging.

Baltic Rush Marsh Plant Community

The property contains significant wetland plant communities that are important to wildlife, including birds, mammals, and insects. Wet meadows, classified as the Baltic Rush Marsh Plant Community, occur in the low areas of the Conway Ranch portion of the property and are fed by the perennial springs and high water table. Grasses, sedges, and rushes dominate this plant community, including Baltic rush (*Juncus balticus*), Nebraska sedge, non-native Canada bluegrass (*Poa compressa*), and tufted hair grass (*Deschampsia caespitosa*). Many herbaceous plants occur in the wet meadows on the property such as hairy arnica (*Arnica mollis*), yarrow (*Achillea millefolium*), Nevada blue-eyed grass (*Sisyrinchium halophilum*), Goldie's starwort (*Stellaria longipes*), yampah (*Perideridia* sp), spike mallow (*Sidalcea oregano*) and the Northern bog violet (*Viola nephrophylla*). Western blue flag (*Iris missourensis*) occurs in thick stands.

The Mono Basin is part of the Great Pacific Flyway, attracting many species of migratory birds who depend on wet meadows and other wetland plant communities for food and cover. On the property, birds such as the killdeer, spotted sandpiper, Wilson's snipe, and great blue heron utilize the wetland areas for nesting and feeding. Flycatchers such as Western kingbird and Say's phoebe hunt insects that occur in wet meadows. Swallows such as violet-green swallow, cliff swallow, and Northern rough-winged swallow depend on wet meadows for hunting areas. Mammals, such as the Spotted bat, a species of special concern, are known to forage over such meadow habitats. Certain rare butterfly species are known to inhabit the wet meadow portions of the property. Specific identification of these butterflies is not documented in this report due to poaching concerns.

Sandbar Willow Thicket Plant Community

Riparian vegetation is associated with streams and perennial water sources such as springs and ponds. The Sandbar willow thicket plant community is an important component found along Wilson Creek, several irrigation ditches, and around the settlement pond where the Virginia Creek diversion ditch enters the property. The dominant plant species in this community is sandbar willow, also known as coyote or narrow-leaf willow. Also present is yellow willow, wild rose (*Rosa woodsii*), and buffalo-berry (*Shephardia argentea*).

Riparian habitats such as the sandbar willow thickets are important to a variety of terrestrial and aquatic species. Providing shade and cover to aquatic species such as fish and invertebrate species, willows create favorable conditions for resident wildlife. Diving birds such as the Belted kingfisher use the riparian vegetation for cover. Beaver found on the property depend on the willows for cover and material for dam building. Ducks such as the mallard, cinnamon and green-winged teal utilize the riparian vegetation for cover.

5.1.ii Wildlife

The property has been the subject of several wildlife studies. In the late 1980s, the Mono Lake mule deer herd and the greater sage-grouse were studied on the property as part of the environmental analysis related to a proposed development of the property (Taylor, 1988). Botanical resources were studied and a list of wildlife sighted (Exhibit F) was included in the environmental analysis. In addition, Wilson Creek was a site studied as part of the Eastern Sierra Riparian Songbird Conservation project (2001) by Point Reyes Bird Observatory.

Mono Lake mule deer herd

Both portions of the property are located within the migration corridor of the Mono Lake mule deer herd (*Odocoileus hemionus*) and receive regular utilization by these large mammals. The herd winters in western Mineral County, Nevada, approximately ten miles south of Hawthorne and about 40 miles as the crow flies from Conway Ranch. The deer embark on their spring migration from their winter range in late March and early April, moving west along the south slope of the Bodie Hills to spring holding areas located in the Hunewill Hills and the Lundy Canyon drainage (Taylor, 1988). During the spring migration, the mule deer depend on food sources such as grasses, willows, herbs, and other spring vegetative growth, such as can be found in the meadows located on the property. In the fall, the Mono Lake mule deer herd will generally retrace its tracks and move down in elevation back to western Mineral County. On fall migration, mule deer will browse on antelope bitterbrush and other shrubs, which occur on the upland portions of the property. Fall migration occurs over a shorter time period, often instigated by the first snowstorms in late fall. A small number of mule deer summer and fawn on the property, making use of the meadow areas for forage and the taller vegetation for cover.

Mule deer are not a special status species but are considered an important "umbrella species," indicating that many other co-existing species can be sheltered by the protective status of mule deer habitat. Mule deer are also important economically and recreationally, as shown by the popularity of seasonal hunting of mule deer, as well as tourist-based activities centered around wildlife-viewing. On both the Mattly and Conway portions of the property, mule deer are known to utilize the irrigated meadows and willow thickets. Mule deer use the upland sagebrush scrub during their migration, as well as sparingly throughout the summer.

Mountain lions

Mule deer are the primary prey of mountain lions (*Puma concolor*). Mountain lions, also known as cougars or pumas, are found throughout North and South America, with estimates of 5,000 of these cats in California. Mountain lions, while not rare or endangered, are legally classified as a "specially protected species." They gained this status with the passage of Proposition 117 in 1990 that made mountain lion hunting illegal in California. Mountain lions may be killed only under certain circumstances involving protection of livestock and the listed Sierra Nevada bighorn sheep, as well as for public safety. Mountain lions use the property to hunt mule deer, along with utilizing the tall willow vegetation as cover.

Bi-State greater sage-grouse

Bi-State greater sage-grouse (*Centrocercus urophasianus*), formerly known as the Mono Basin sage-grouse, are found regularly on the property, especially the Conway portion. No sage-grouse strutting ground, or lek, has been found within or adjacent to the property, but in spring surveys done in 1988, adult females, males, and juveniles were seen on the property, including a

potentially nesting female. On one survey in July 1988, four hens with broods were flushed, including two hens with five juveniles each and two hens with two juveniles each, for a ratio of 3.5 young per adult hen. Earlier in the winter of 1987/88, extensive sage-grouse droppings were observed in the sagebrush scrub on the property (Taylor, 1988). In site visits in June 2014 (Aaron Johnson, ESLT Lands Director), sage-grouse droppings were observed on the property west of the subdivision area. This large, ground-dwelling bird utilizes sagebrush areas and nearby meadows for its entire lifecycle. On the property, sage-grouse use the sagebrush scrub areas during the winter for food and shelter. Later in the season, hens may bring their broods to the irrigated meadows.

This bird is currently proposed by U.S. Fish and Wildlife Service to be designated as threatened, and a habitat recovery area has been proposed that includes Conway and Mattly ranches, as well as the entire Mono Basin (Federal Registry, Vol. 79, No. 208, Monday, October 28, 2013). USFWS determined that the primary threats to the Bi-State greater sage-grouse are: urbanization and habitat conversion caused by mining, renewable energy development, invasive species, and wildfires. Small population size is also a threat. Finally, the USFWS identified climate change, including drought, recreation, disease and predation, and inadequacy of existing regulatory mechanisms as being threats. The Bi-State greater sage-grouse does not have a special status designation by California Department of Fish and Wildlife.

Sierra Nevada Bighorn Sheep

The Conway and Mattly ranches are adjacent to habitat occupied by the federally endangered Sierra Nevada bighorn sheep. Through a long-term monitoring program California Department of Fish and Wildlife (CDFW) have documented bighorn sheep occurrences on Mattly ranch and very close to Conway ranch. A map has been provided by CDFW (Exhibit D) and shows GPS, aerial, and ground observations for Sierra bighorn from 2002 to present. These locations are for both rams and ewes. The selected occurrences shown in the CDFW table below illustrate that over a period of 5 years at least 3 different rams or groups of rams used the area around the ranches.

| Location | Date | Method | Animal Description |
|---|---|---|---|
| NW corner of Conway* | 11/30/2003 | ground | 1 ram (S21) |
| NW corner of Mattly* | 12/4/2003 | aerial | 1 ram (S21) |
| W of Mattly inside Mt. Warren herd unit* | 12/8/2003 | ground | 1 ram (S21) |
| Middle of W boundary on Mattly | 1/20/2006 | aerial | 1 ram (S20) |
| The horseshoe on 395 | 4/22/08 | ground | 2 uncollared rams |

*Locations represent the same ram observed on different dates after being hit by a car on 395.

Fisheries

Aquatic species were surveyed on the property as part of the environmental analysis for the proposed Conway Ranch Estates development. All of the fish sampled were brown trout, with densities ranging from 103 to 370 fish per acre (Beak Consultants Incorporated 1986). Most fish were quite small and rarely exceeded eight inches in total length. The report concluded that the small size of the fish sampled and the generally low biomass of fish present suggested that Wilson Creek is a stream of low productivity. Conditions of the fish were caused by the cold water temperature, dramatically fluctuating water flows due to the power plant and diversions

upstream, lack of riparian vegetation that provides cover for fish and invertebrates, and low levels of dissolved solids and nutrients that feed fish and invertebrates.

In 1986, Beak Consultants Incorporated also sampled the aquatic invertebrates in Wilson Creek. The invertebrates that serve as potential food sources for trout included mayflies, caddisflies, stoneflies, beetles, flies and midges, and true bugs.

Beavers

The American Beaver (*Castor canadensis*) occurs on the property, specifically in Wilson Creek. Seemingly compelled to stop running water, the beaver is adept at building dams that create ponds and flooded areas. While Conway Ranch may not be ideal due to its lack of the typical trees that beavers utilize for their dams, it appears that the willows and other vegetation along Wilson Creek are sufficient for these large rodents. Beavers create habitat that is utilized by many other species such as fish, invertebrates, birds, and bats and other mammals.

Special Status Plant and Wildlife Species

The California Department of Fish and Wildlife's California Natural Diversity Database (CNDDB) was queried in regard to special status species that have been documented in the vicinity of the property (Exhibit G). Of the twenty species that have been documented within the USGS Lundy quadrangle where the property is located, 13 species could occur on the property, based on the required habitat types. Those potential species and their habitats are listed in the table below (Table 2).

Table 2: Special Status Species with Potential to Occur on the Property

| **Common Name** | **Scientific Name** | **Potential Habitat on Property** | **Status** |
|---|---|---|---|
| Great-basin onion | *Allium atrorubens* var. *atrorubens* | Great Basin scrub | CA Rare plant rank – 2B.3 |
| Frog's-bit buttercup | *Ranunculus hydrocharoides* | Freshwater marshes | CA Rare Plant Rank – 2B.1 |
| Masonic Mountain jewelflower | *Streptanthus oliganthus* | Great Basin scrub, Pinon-Juniper woodland | CA Rare Plant Rank – 1B.2<br>BLM – Sensitive<br>USFS - Sensitive |
| Foxtail thelypodium | *Thelypodium intergrifolium* ssp. *complanatum* | Alkaline soils, Great basin scrub, seeps and meadows | CA Rare Plant Rank – 2B.2 |
| Golden violet | *Viola purpurea* ssp. *aurea* | Great Basin scrub | CA Rare Plant Rank – 2B.2 |
| Sierra Nevada mountain beaver | *Aplodontia rufa californica* | Willow thickets | CDFW – Species of Special Concern |
| American badger | *Taxidea taxus* | Great Basin scrub | CDFW – Species of Special Concern |
| Spotted bat | *Euderma maculatum* | Riparian area | BLM – Sensitive<br>CDFW – Species of Special Concern |
| Western mastiff bat | *Eumops perotis* | Meadows and Great Basin scrub | BLM – Sensitive<br>CDFW – Species of Special Concern |
| Hoary bat | *Lasiurus cinereus* | Meadows | |

| | | | |
|---|---|---|---|
| Yuma myotis | *Myotis yumaensis* | Wet meadow and riparian areas | BLM – Sensitive |
| Swainson's hawk | *Buteo swainsoni* | Meadows | BLM – Sensitive<br>USFS – Sensitive<br>CDFW - Threatened |
| Yellow warbler | *Setophaga petechia* | Riparian area | CDFW – Species of Special Concern |

5.2 Cultural Resources

An archaeological survey was conducted for the proposed Conway Ranch Master Plan Development project by Trans-Sierran Archaeological Research, with findings detailed in a report dated January 1987. Archaeological sites were located and recorded during the survey. Results of the detailed fieldwork and analysis, including subsurface testing, soil chemistry analysis, obsidian hydration and sourcing, and historic research and records search suggest that there are sites of significance under the California Environmental Quality Act.

Due to the sensitive nature of these resources, the Cultural Resources of Conway Ranch report by Trans-Sierran Archaeological Research, in addition to the Conway Ranch Cultural Resources Study by Foothill Resources, Ltd. from 2002, are kept on file with Eastern Sierra Land Trust and Mono County. Cultural resources will be protected and regularly monitored through the conservation easement.

5.3 Scenic Resources

The property is crossed by State-designated Scenic Highway 395. It is also located approximately ¼ mile from the Mono Basin National Forest Scenic Area. Features of the property that contribute to its scenic status include undeveloped open space, green irrigated meadows, historic ranch house, and natural habitats. The property is a prominent feature seen from the Highway 395 scenic overlook on Conway Summit to the north. The property is also part of the viewshed of Mono Lake, as seen from many points along the highway and from the surrounding mountains.

## 6. Current Conditions

To better describe the property, this section will be broken down accordingly based on use and location with four primary areas, the Main Conway Ranch, Mattly Ranch west of U.S. Route 395, the Aquaculture Area, and the Subdivision.

6.1 Main Conway Ranch (excluding Aquaculture Area and Subdivision)

The northern portion of the property, north of Conway Ranch Road, is located in Sections 36 of Township 3 North, Range 25 East, Mount Diablo Base Meridian (S36 T3N R25E) and S31 T3N R26E, and occurs geographically along the lower slopes of the Bodie Hills and consists of generally undisturbed dry upland vegetation consisting primarily of Great Basin sagebrush and antelope bitterbrush. The northwest corner of the property is crossed by U.S. Highway 395 (4 lanes) as the highway begins to switchback up towards Conway Summit in S36. The roadbed of old Highway 395 also crosses this portion of the property slightly above and northwest of the current path of the highway and remains paved although not frequently used. The property is traversed at the north end by Conway Ranch Road, an unimproved dirt roadway that accesses the property and continues on the adjacent public lands managed by the BLM including the portion

of the Conway Ranch now managed by that agency. Several dry washes enter the property at the northern boundary, and although these are likely naturally occurring, it appears that runoff from the Highway 395 roadway during high precipitation events increases the flow of water and has required that a settlement basin be built and maintained directly north of Conway Ranch Road.

A portion of the historic homestead remains on the property, south of Conway Ranch Road, accessible by a smaller dirt driveway. There is also a parking pull-out area along this road approximately 150 feet south of the main ranch road. It appears that this pull-out may also be used as a staging area of other maintenance activities on the property. The homestead site includes one large building that remains standing, although in need of repair, in addition to a second building that has collapsed but remains on site, and a smaller outbuilding located further south. Several large cottonwood and poplar trees remain in the vicinity of the main building. There are wooden corrals located northeast of the main structure which are in disrepair but may still be used, as well as fenced meadow pasture to the west of the homestead site. The majority of the homestead site occurs in the SE ¼ of the SE ¼ of S36 although a portion of the corrals is in S31. The area surrounding the structure, particularly to the east, consists of bare ground likely used as bedding ground for the sheep and has become heavily invaded with the noxious weeds mustard and ragweed. There is scattered debris surrounding the homestead area, much of which may be of some historic significance.

South of Conway Ranch Road, the vegetation transitions into wet meadow below the irrigation ditches, pipelines, and diversion structures that contour through this upper portion of the property. Much of this meadow vegetation is the result of more than 140 years of irrigation and livestock grazing practices. The emergent wetland vegetation of the meadows is flood irrigated using a complex network of settling ponds, ditches, and buried pipes. The primary source for irrigation water in these upper meadows is the Virginia Creek diversion that brings water from the East Walker Watershed into the Mono Basin over Conway Summit. This water enters the property at the western boundary where it is held in a settling reservoir, approximately 200’ x 15’ located near the northwestern corner of the NE ¼ of S1 T2N R25E. This pond was recently maintained by deepening the basin and clearing willows surrounding the pond. Soil, willows, and rocks remain piled along the north side of the pond. This water is both diverted into irrigation ditches running directly into the adjacent meadows as well as into a buried pipeline that was installed on behalf of the BLM to facilitate the delivery of water to the portion of the old ranch that is managed by that agency. Formerly, the water had been conveyed in old ditches that were poorly maintained and had significant water losses. This buried pipeline is more than 3,500’ in length and includes two control gates that can be used to deliver water to other interior ditches both directly west of the homestead site as well as the meadows located to the east. These ditches, as well as the Virginia Creek diversion support significant growth of willow riparian scrub. Two springs have also been identified on the northern property in the S ½ of the SE ¼ of S36; these flow into channels draining to the south and contributing additional water to the wetlands below. Erosional down-cutting was observed in the spring channel below the springs. Exclosure fencing is located around the eastern spring but has not been maintained for some time and is no longer serving this function. During a site visit in September evidence of recent sheep us in and around the springs was observed. Meadows occur on the portions of the property located in S36 T3N R25E, S31 T3N R26E, S6 T2N 26E, and most extensively within S1 T2N R25E.

There are additional ditches located on the property that historically would have carried water to the upper meadows of the Conway Ranch, the water originating from Lundy Lake Reservoir and conveyed via the penstock to the powerhouse and downstream ditches crossing Mattly Ranch, City of Los Angeles, and BLM lands. With the exception of Mattly Ranch (discussed later) these conveyances, the Upper and Lower Conway ditches, were observed to be in generally poor condition, although recent work was completed in 2013 to excavate portions of these ditches. However, at the time of this report the ditch work on the Lower Conway had not been completed. A buried power line crosses the property and provides electricity to the Aquaculture Area and the private homes located in the Conway Ranch subdivision. In 2013, the buried cable was struck during ditch excavation work and was subsequently repaired, but work on the ditch at that location (on BLM land) was never resumed and Lower Conway ditch does not appear capable of carrying flows from Mattly to the meadows on the Main Conway Ranch.

The meadows and adjacent uplands are grazed by sheep as allowed by the current lease with a livestock operator who also grazes the adjacent BLM managed portion of the ranch and adjacent public lands grazing allotments. Groundcover in the meadow areas generally appeared healthy and evenly distributed throughout. Bedding grounds used by the sheep operation see a much greater degree of use and trampling and were observed as areas of bare ground accompanied by growth of undesirable noxious weeds such as cheatgrass, mustard, and ragweed, and lacking the typical upland vegetation found on adjacent dry sites. Bedding grounds are necessary a elements of sheep operations and are generally used for this purpose year after year. It appears that a primary bedding area and shepherd's camp is located in the N ½ of the SW ¼ of S1 T2N R25E, accessed by a separate two track road from highway 395. The camp site contained scattered debris such as a discarded table and sleeping bag. A similar bedding ground was also observed south and east of the homestead site where a shepherd's trailer was observed parked in late September.

Wilson Creek, now a perennial stream that was originally an ephemeral drainage prior to the development of diversion ditches and the hydro-electric powerhouse, crosses the property in a reach approximately 5,000 feet in length including meanders, entering at the southern boundary of the property in the N ½ of the SE ¼ of S1 and exiting at the eastern boundary in the S ½ of the NW ¼ of S6 T2N R26E. The water flowing in Wilson Creek comes from the Lundy Powerhouse and is released into the tailrace and Upper Conway ditch as further described in Section 4 of this Baseline Documentation Report. As the result of power generating needs, as well as water availability in Lundy Lake (a reservoir), the flows in Wilson Creek can vary widely. Wilson Creek is consistently vegetated with vigorous riparian-wetland vegetation typical of the region with expected levels of recruitment and age-class distribution, and maintenance of riparian-wetland soil moisture. Vegetative cover along the creek appears adequate to protect banks during high flows, and no significant recent cut-bank erosion or down-cutting was observed, although down-cutting appears to have played a significant role in the formation of the current channel. The stream corridor meanders throughout the reach crossing the property indicating natural sinuosity with the stream corridor ranging from less than 8 feet to 30 feet or more in places, particularly in proximity to active beaver dams, which are numerous along the creek. During site visits, five beaver dams were observed that appeared to be active, with several additional dams that did not appear to be recently maintained.

Upstream of the property, water is taken to the Aquaculture Area via the Bell Diversion pipeline, formerly an open ditch, bringing the water 2,200 feet from the point of diversion on Wilson Creek to the southern raceways and Float Tube pond across LADWP and BLM lands. Additional water is diverted from Wilson Creek at the Bowl Diversion located upstream of the property and supplying the northern raceways and Trophy pond. A portion of the water from the Aquaculture Area can be returned to Wilson Creek via a ditch flowing out of the Trophy pond.

The area referred to as the "Bowl" is an irrigated meadow located in the SW ¼ of S6 approximately 30 acres in size consisting of wetland vegetation. Much of the meadow is located within the Aquaculture Area, but the northerly portion occurs on the Main Conway portion of the property and drains into Wilson Creek via a ditch extending north from the edge of the meadow. The Bowl is flood irrigated with water from Wilson Creek after passing through the aquaculture infrastructure and spread from the raceways and ditches using turnout pipes.

The southwest corner of Main Conway is crossed by an approximately 2,200 foot length of U.S. Highway 395 (2 lanes) along with parallel barbwire fence extending the length of the road corridor as it crosses the property. This barbwire is in extremely poor repair but appears to be intended to serve the purpose of keeping livestock and wildlife off of the highway and funneling animals through a large culvert underpass below the roadway. To the west of the highway, a network of unimproved two-track roads enter the property near the southern boundary which lead both south off of the property, and north where it crosses the property and terminates on adjacent BLM lands in an aspen grove along an unnamed intermittent creek that once flowed into the Upper Conway ditch. These roads were presumably created to maintain the old Upper Conway ditch, which it parallels for a distance, and may also be used to service the power line that crosses this portion of the property. The concrete road bed of old Highway 395 remains on the portion of the property located west of Highway 395, extending 500 feet onto the property where it can be accessed from a paved pull-out on Highway 395 located near the bottom of the grade. A power line enters the property near the southeast corner west of Highway 395, crosses the highway, and travels approximately 2,500 feet across the property in total. Upper Conway ditch in this area, and the water diversion structures associated with it, are overgrown with sagebrush and partially filled with sediment and do not appear capable of conveying significant amounts of water without additional work.

On the east side of Highway 395, the highway fencing has several gates that can be opened to provide access to the ranch. On the inside of the fence, a rough two-track ranch road travels parallel across the property before becoming overgrown to the north in thick upland vegetation on adjacent BLM lands. In addition to the highway fencing, there is an additional fence that extends roughly along the southern property boundary located in the N ½ of the SE ¼ of S1. This fence appears to be more regularly maintained and extends from the western edge of the Aquaculture Area, across Wilson Creek, and west to the highway fence along Highway 395.

In addition to the primary road accessing the Main Conway portion of the property at the northern end, Conway Ranch Road, which is graded and maintained, the property is also served by a number of lesser two-track dirt roads. In the southwest, these include the ditch/power line access roads described above, the old Highway 395 roadbed, the rough road along the interior of the highway fence, the road to the sheep camp entering from the south. Further north, there are two roads accessing the Virginia Creek settlement basin from Conway Ranch Road, a nearly

overgrown ditch/pipeline service road south of Conway Ranch Road that connects near the basin, the road to the homestead site, and an overgrown road accessing the ditch/ pipeline near the northeastern property corner. Along the eastern property boundary, there is a two track road that enters the property from the adjacent BLM managed portion of the ranch and restored ranch buildings located there. This road continues south approximately 100' west of the property line before ending in a turnaround overlooking Wilson Creek. On the south side of Wilson Creek, there is a dirt road that extends north away from the Aquaculture Area before forking with one road going due west to the ditch draining the Bowl, and the other road hooking back to the southeast and exiting the property before terminating near Wilson Creek. During site visits for this report (Aaron Johnson, ESLT Lands Director), sage grouse sign (fecal pellets) was observed in the sagebrush habitats on the property south of Wilson Creek and north of the meadows.

The eastern portion of the property is primarily composed of dry upland vegetation such as Great Basin sagebrush, antelope bitterbrush, desert peach, and rabbitbrush growing in sandy soils. Irrigation of the portion of the property located in the NE ¼ of the NW ¼ of S6 was previously possible via the buried pipeline; however, flows have been since been diverted away out of concern of damaging the restored building on BLM land. Willows and areas of dry meadow vegetation remain in some places. The southern-northeast corner of the property is located adjacent to piles of wood debris, likely the remains of an historic structure located on BLM land.

The 20-acre portion of land between the Aquaculture Area and Subdivision, consisting of the W ½ of the SE ¼ of the SW ¼ of S6 T 2N R26E, contains open space vegetated primarily with upland sagebrush-bitterbrush species and smaller areas of riparian scrub and dry meadow. Two parallel irrigation ditches enter this portion of the property from the southwest conveying water released from Raceway C and the Float Tube Pond, which flows through a web of ditches that are utilized to enhance wetland habitat. Remaining water occasionally flows to the homes in the subdivision before returning to Wilson Creek. This ditch crosses the northern portion of the property for 350' at its southernmost point before continuing east off of the property. The northwestern portion of the property contains heavy growth of willows with dry meadow species occurring as groundcover in pockets that have been historically irrigated. The southern and eastern boundaries of this portion of the property are fenced, with a locked gate located on the road that provides access to the Aquaculture Area from the western spur of Wilson Creek Road in the Subdivision. This graveled road enters the property from Wilson Creek Road before heading southwest to follow the southern property line to the Aquaculture Area. A small pullout is located 70' west of the gate that has previously been used to store vehicles and equipment but is now vacant.

### 6.2 Mattly Ranch

The Mattly Ranch portion of the property is 160 acres in size and located west of U.S. Highway 395 representing the S ½ of the NW ¼ and N ½ of the SW ¼ of S12 of 3N R25E. The property is located in a small valley at the base of the steep slope of Copper Mountain. Although relatively flat overall, the property generally slopes downwards to the east with a hill occupying the southeastern corner. The majority of the property consists of dry upland vegetation consisting of sagebrush, forbs, and grasses. The Lundy wildland fire of April 2003 burned over much of the property with the exception of the most northern areas. As a result, the northern portion of the property contains significantly more late-stage vegetation such as antelope bitterbrush and decadent growth of Great Basin sagebrush and other woody shrub species. The burned areas

have appear to be recovering well with growth of Great Basin sagebrush, green rabbitbrush (*Chrysothamnus viscidiflorus),* forbs, and meadow grasses.

Irrigated meadows occupy approximately 45 acres of the property beginning at the southern property boundary and extending northeast following the network of ditches which are used to irrigate the emergent wetland vegetation using flood irrigation accomplished by turnout gates and spill pipes. All water used to irrigate meadows on Mattly is provided as tailwater from the Southern California Edison Lundy Powerhouse, which is located on SCE owned land directly south of the property. Water is spread from the network of ditches and diversions that are maintained for this purpose, the primary conveyances being the Lower and Upper Conway ditches. From the powerhouse, water can be diverted into upper Conway ditch or into the tailrace toward Wilson Creek and the Mill Creek Return Ditch. For the tailrace, as water leaves the powerhouse, it is sent northeast in a cement lined tailrace that extends approximately 80 feet onto the property before becoming an earthen ditch which has become naturalized with a heavy growth of willows, trees, and associated riparian vegetation. This water continues down the ditch channel eastward to a diversion structure for the Mill Creek Return Ditch. The Mill Creek Return Ditch travels south for approximately 190' until leaving the property at the eastern boundary. Due to the fact that the Mill Creek Return Ditch is presently in poor repair and not used, all water continues east into Wilson Creek, which leaves the property onto adjacent BLM land shortly after the diversion structure. From the diversion structure, the gradient of Wilson Creek increases significantly. Approximately 180’ downstream of the Mattly property water can be diverted into the Lower Conway ditch which travels north, passing under the Mill Creek Powerhouse Road, and entering the property along the eastern boundary where it travels southwest and then north, eventually exiting the northeastern portion of the property. Along the length of the ditch, it is diverted into secondary ditches, turnout gates, and spill pipes where it is used to flood irrigate the meadow areas. During site visits, it appeared that recent work on the Lower Mattly ditch had been completed. As described in the Main Conway section of this report, the Lower Mattly was historically capable of delivering water to the meadows on Conway Ranch and was recently partially excavated to the crossing with Highway 395; however, work was ceased across the highway and was not completed at the time of this report.

A portion of the SCE tailwater can also be released from the south side of the SCE facility into the Upper Conway ditch that contours around and eventually enters the property from the south directly east of the unimproved two-track Cemetery Road. This ditch currently carries water less than 60’ before spilling downhill where it feeds a network of secondary ditches that irrigate the meadows at the south end of the property up-slope of the Lower Conway ditch. Like the Lower Conway ditch, the Upper Conway continues north, eventually reaching the Main Conway portion of the property; however, it has not been maintained and is not in condition to deliver significant quantities of water without additional work.

According to Mono County, the process for directing the irrigation flows from the Lundy Powerhouse into either the Upper Conway ditch or the tailrace is through direct request to SCE personnel, who schedule the adjustments at their earliest convenience.

The primary use on Mattly is currently sheep grazing that is conducted by the same lessee that occupies Main Conway and adjacent public lands leases. Groundcover in the meadow areas generally appeared healthy and evenly distributed throughout. A sheep bedding ground was

observed in the area of the vehicle pull-out/turn around near the ruins of what was perhaps an old dairy. The cement foundation of the dairy structure remains at this site, along with scattered debris and metal presumably once associated with that structure. Additional evidence of the property's agricultural history is evident in the form of old barbed wire strands that can be found intermittently along the eastern boundary and near the northern property boundary on the ground.

A man-made basin is located on the property near the southern border approximately 300' west of Mill Creek Powerhouse Road. This area contains heavy growth of riparian scrub vegetation, primarily willow. It is not clear how this basin is filled as it was dry during visits. There are a number of rusty pipes entering the basin from the north. An old 50-gallon Valvoline oil drum was located in the basin (empty) and a second empty 50-gallon drum was observed nearby. Additional debris in the area included an old plastic trashcan, which was removed from the property during the visit.

There is a significant amount of infrastructure in the form of roads and power lines located on the property, in a large part due to its proximity to the Lundy Powerhouse, which has been the site of hydropower generating facilities for more than a century. The primary access from Highway 395 to the SCE facility is the graded and maintained Mill Creek Powerhouse Road (30' wide), which crosses the southeastern quarter of the property. As the road exits the property at the southern boundary, it widens into a graded and graveled staging area on both sides of the roadway that reaches 160' by 112' across. After accessing the SCE facility and lands, the Mill Creek Powerhouse Road continues and enters the property as a smaller gravel road (10' wide), traversing along the base of the large hill before exiting at the southeast corner where it returns to SCE owned land, a BLM wildland fire station, and terminates at Lundy Lake Road. Two lesser maintained two-track dirt roads lead south up the hillside from this section of the Powerhouse road presumably for servicing the overhead power lines, terminating on SCE lands to the south. The length of this boundary between the property at the south and neighboring SCE lands appears to have been recently surveyed as survey stakes were observed along the length of this boundary as well as a monument at the southwest corner. A rough overgrown two-track road departs north from the Powerhouse Road accessing a turn-around south of the tailrace near the Return Ditch diversion. Additionally a two track road enters the property at the east from the main section of Mill Creek Powerhouse Road providing access and a small unimproved parking area north of the tailrace and Return Ditch diversion structure.

Three overhead power lines cross the property connecting to the SCE facility. One line travels east from the powerhouse and crosses only the very southeastern corner of the property. A second line travels northeast away from the facility before turning north roughly paralleling the eastern property boundary, eventually leaving the property along the eastern side. A two-track service road also follows the eastern boundary, primarily located on adjacent land off of the property but touching the boundary in a boggy area just north of the Lower Conway ditch. Several smaller spur roads enter the property in the northern meadows, likely for the purpose of performing maintenance on the ditches and power line. A vehicle was observed driving into the meadows from the eastern road during a site visit for the preparation of this report. The third power line crosses the property north to south along Cemetery Road at the base of the mountains in the western portion of the property. Cemetery Road (8' wide) branches off from the main Powerhouse Road on SCE property before traversing the western portion of the property and accessing a small cemetery located north of the property which can also be reached by other

roads off of the property. A buried fiber optic conduit and cable of the “Digital 395 Middle Mile Project” are also located on the property, entering the property at the east buried below the main Mill Creek Powerhouse Road and continuing north off of the property below Cemetery Road. Above ground markers denote the presence of the cable beneath the roads and at least one access vault is located on the property along Cemetery Road near the northern property boundary.

6.3 Aquaculture Area

The Aquaculture Area is a 75-acre portion of the property located in the SW ¼ of S6 T2N R26E that has been developed for the purpose of aquaculture. As a result, the area contains a flow-through system consisting of raceways, ponds, and ditches. Due to concerns about vandalism, much of the area has been fenced with barbed wire, including the western and southern boundaries. The western boundary is not fenced; however, a fence has been installed at the western boundary of the subdivision area effectively fencing off the Aquaculture Area on all but the northern side.

At the south end, this infrastructure includes two raceways, the western of which (raceway “A”) is 27’ x 425’ and the eastern (raceway “C”) is 25’ x 470’, and both are generally oriented north-south. These raceways receive water from the Bell diversion and pipeline (off property). These raceways were lined with an impermeable liner from 2006 until July 2014 when the liner material was cut out of all of the raceways on the property. The edges of this liner material remain buried around all of the raceways due to the method of removal. Water that flows through the A raceway continues north to a small fishing pond called the “Kids Pond," approximately 4,250 square feet in area. Water in the C raceway can be directed by turnout pipes to fill the adjacent large pond known as the “Float Tube Pond" that is approximately 70,125 square feet in area, or continues north into a ditch that can be diverted into the Bowl, or sent east into the irrigated meadows, and a ditch along the north end of the Subdivision that can be used to provide water to private homes located there. An outlet structure in the Float Tube Pond can be used to divert additional water east into the area between the Aquaculture Area and Subdivision, ultimately returning to the ditch to the Subdivision.

Northwest of the southern raceways and ponds, there exist two additional raceways and ponds that receive water from the Bowl Diversion pipeline. Both of these raceways can also receive water from the Bell Diversion “A” Raceway, through the buried pipeline that draws water from the Kids Pond. The southern raceway (“B”) is 20’ x 455’ and trends east-west. A small linear pond known as the “Glory Pond” is located at the east end of the raceway and is approximately 4,500 square feet in area. The Glory Pond receives water both from the Kids Pond located upslope to the south via an outlet structure on the pond and buried pipeline, as well as additional Wilson Creek water from the Bowl Diversion and pipeline. The pond has a control structure that allows it to flow into a ditch extending along the south and east sides of the Bowl meadow. In addition to the Bowl diversion water, this ditch can receive water from the Bell diversion via a control structure located upslope on the ditch draining the C raceway. The northern of these raceways (“D”) is 30’ x 245’ in size and provides a flow of water to the northernmost pond known as the “Trophy Pond" via a buried pipeline. In addition to the water that enters this part of the system from the Kids Pond and southern raceways, the northern aquaculture infrastructure receives water from Wilson Creek via the Bowl diversion and pipeline. Return flows to Wilson Creek from the aquaculture operations are accomplished using a below-grade outlet structure on the northern side of the Trophy Pond that drains the pond into a ditch that can be used to turn out

water into the northern portion of the Bowl meadow wetlands, or send water down a ditch extending 375' west back to the Wilson Creek.

As noted in Section 6.1 of this Baseline, the majority of the Bowl meadow is located within the Aquaculture Area and is dependent on water from the above described ditches for irrigation water. Turnout pipes installed in the sides of the raceways and ditches bordering the meadow, as well as control structures associated with the Trophy Pond, can be used to turn water out directly into ditches into the Bowl. Irrigation via the turnout pipes requires that the ditches and raceways be filled in order to reach the level of the pipes. Excess surface water that is not absorbed by the wetlands of the Bowl is drained via a ditch leading north from the eastern portion of the meadow, joining a larger ditch that returns to Wilson Creek.

In addition to the aquaculture and water conveyance infrastructure, there have been a number of improvements within the Aquaculture Area to assist with the operations there. The primary access to the property is provided via a well maintained gravel road (12' wide) that enters via a locked gate along the southern property boundary. This access road originates from Highway 167 approximately 200 feet east of U.S. 395. After entering the property, this access road forks at 500' and the western spur of the access road (straight) leads to the western end of raceway B, as well as raceway D and a gravel roundabout leading to the Trophy Pond. This is the area of the "Building Envelope" (not yet surveyed) and was until recently the location of several storage containers, trucks, and other aquaculture related items. There are disturbed areas that have been cleared of vegetation where these items were located, as well as a small cement pad (7.4' x 7.75'). A side road leaves the property to the west, accessing the Bowl diversion structure. The eastern spur of the main access road travels to the Kids Pond before traveling south to raceways A, C, and the Float Tube Pond. The road creates a rough figure-eight between the two southern raceways before continuing out of the Aquaculture Area towards the Subdivision along the southern boundary.

All of the raceways within the Aquaculture Area are accessible from well-maintained gravel roads. Several smaller roads are also located in the Aquaculture Area, primarily providing access to maintain existing ditches and water diversion structures. There are several disturbed areas that have been cleared of vegetation such as the southwest of Float Tube Pond, southeast of the Kids Pond, the southeast end of the D raceway, the south side of the Trophy Pond, and the area west of the D raceway that was the location of the aquaculture storage facilities until July 2014.

Structures presently located on the property within the Aquaculture Area include a handicapped accessible outhouse (7' x 7') and a second regular outhouse (4' x 4') both of which have been set inside wooden frames that have been painted brown to limit visibility. Control boxes for the Bell and Bowl diversion pipelines, are located in below ground boxes. A wooden bridge is located on the crossing of the old Bell ditch on the gravel road.

Power is provided to the Aquaculture Area by a buried power line that extends from the west along the southern boundary until entering the property in the Aquaculture Area where a utility connection box is located 25' south of the Trophy Pond. The buried line continues east across the Bowl meadow, exiting the Aquaculture Area and continuing along the northern boundary of the property until terminating at the cul-de-sac at the north end of Conway Drive within the

Subdivision. A well is located on the property along the eastern edge of the Trophy Pond and commonly referred to as the "test well". This well was apparently installed to perform testing as part of the past hydrological study done for the development proposal. The well casing as presently capped.

Large areas of the Aquaculture Area remain as relatively undisturbed habitat, primarily upland sagebrush-bitterbrush vegetation. The Bowl meadow is a large area of emergent wetland vegetation. In the northeast portion of the Aquaculture Area, there is an area approximately 5 acres in size of willow riparian scrub and dry meadow vegetation that is maintained by spreading water from two parallel irrigation ditches that branch south from the main ditch draining the "C" raceway. The noxious weed species Russian thistle and mustard were observed to be quite abundant on the cleared areas and empty pond bottoms in the Aquaculture Area.

6.4 Subdivision Area

The Subdivision Area is located in the SW ¼ of the SE ¼ of S6 T2N R26E and represents the southeastern-most extent of the greater Conway Ranch property. This unique landscape is composed of 100 lots out of a 108 lot 40-acre subdivision, plus lots set aside for fire protection and open space. As a result the vast majority of the property exists as undeveloped land interspersed with 9 privately owned lots (plus a domestic water well lot owned by the HOA), paved roads, cul-de-sacs and associated unused development infrastructure.

This portion of the property forms a square with Wilson Creek Road having two spurs, one travelling north and the other west, thereby forming an outer row of lots surrounded on the outside by BLM lands. All of the lots that were conveyed into private ownership are outside of this road on the outer perimeter. Conway Road departs from Wilson Creek Road at an arcing diagonal trending northwest and ending at a cul-de-sac near the NW corner. Bodie Circle departs in a short spur ending in a cul-de-sac. Glacier Canyon Road forms a loop to the southwest off of Conway Road, with Lundy Circle creating tandem cul-de-sacs. Cul-de-sacs are paved, with a diameter of 80'.

Utilities are provided to connection boxes in each lot of the subdivision underground. Power is provided by SCE via the buried power line serving the Aquaculture Area and extending to the northern cul-de-sac on Conway Road. In addition to the small connection boxes located on each lot there are a number of larger electrical boxes located on cement pads throughout the property. Fire hydrants are present in several locations on the county-owned property as well.

All of subdivision roads are paved to a width of 25' and maintained by Mono County; however, it is noteworthy the survey maps indicate the Right of Way for these roads is 60' wide. The primary access to the Subdivision Area is Goat Ranch Road leading from Highway 167. This road enters the property near the SE corner joining Conway Road as a paved surface. All road intersections in the subdivision area are signed with wooden road signs. Metal monument plates have been set in the asphalt at the center of road intersection and appear to be triangular access covers providing access below the roadway. Due to the fact that Wilson Creek Road serves the purpose of providing access to the private homes, it appears to be regularly maintained while the other roads in the subdivision are beginning to crack and age, in many places native plants such as antelope bitterbrush, Great Basin sagebrush, and grasses are beginning to grow in gaps in the asphalt. The margins of all of the subdivision roads were mowed, presumably for fire protection

purposes, as is evident by the woodchip debris that remains on these roadways. All paved roads in the subdivision are currently designated as county-maintained roadways.

Several dirt roads exist within the subdivision. Goat Ranch Road continues past the junction with Conway Road an additional 160' as an unimproved dirt/sand road (recently signed as closed), accessing adjacent public lands and Wilson Creek. An additional dirt road exits the west side of the cul-de-sac at the end of Wilson Creek Road and joining the pavement at the north end of Bodie Circle. A locked gate and dirt road extend towards the Aquaculture Area from the cul-de-sac at the western end of Wilson Creek Road.

The interior paved roadways within the subdivision are being used for long term parking of trailers and heavy equipment. During site visits, a flatbed heavy equipment trailer, and two dump trailers were parked on Conway Road.

Each of the planned home sites on the property includes individual utility connection boxes. In addition, there are a number of larger metal vaults on cement pads marked "high voltage" and regularly distributed fire hydrants. A long term scientific monitoring station has been located on the property by UNAVCO under a license agreement and is sited directly west of the cul-de-sac at the end of Conway Road. This station is a "Plate Boundary Observatory" used to measure the motion of the ground by GPS. This includes GPS antenna mounted atop a borehole accompanied by an "enclosure unit" of two solar panels, enclosure box, and communication mast. Power is supplied to the Subdivision Area via the buried power line following the property boundaries and crossing the Aquaculture Area.

Two large sections of plastic pipe are located on lot 26 of the subdivision at the western end of Wilson Creek Road and a social trail has been established between lot 26 and the southwestern end of Lundy Circle. Sections of old 1-inch landscape irrigation hose can be found scattered throughout the subdivision area.

Vegetation on the county owned lots in the subdivision away from paved areas consists of heavy growth of upland species such as Great Basin sagebrush, antelope bitterbrush, green rabbitbrush, as well as grasses. Antelope bitterbrush is particularly abundant and vigorous on this portion of the property and decadent growth of sagebrush indicates that much of this area has been undisturbed for some time. Pockets of dry meadow habitat were observed amongst the upland shrubs along the fenced western boundary of the subdivision, apparently receiving water from the eastern irrigation ditch from the Float Tube Pond, which is located 150' to the west. Dry meadow and limited willow scrub vegetation occurs in the northeastern portion of the property and to a lesser extent along the northern boundary due to the proximity to the ditches located near there, including the ditch providing water to the private homes in the northeastern portion of the subdivision. Tufa outcroppings are located on the property along either side of the northern portion of Glacier Canyon Road.

**7. Maps**

Figure 1 a, b. Conservation Easement Maps
Figure 2 a, b. Aerial Photograph & Vegetation
Figure 3 a, b. USGS Quad Maps (24k and 100k Scale)
Figure 4. Project Regional Proximity
Figure 5 a, b, c, d. Improvements Maps
Figure 6 a, b, c. Photopoint Maps showing Easement Boundaries

**8. Property Photographs**

i. Property Photopoint Tables
ii. Property Photopoints Documents

## 9. References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**10. Exhibits**

A. Legal Description of the Property
B. Policy of Title Insurance
C. NRCS Custom Soil Resources Report
D. Sierra Nevada Bighorn Sheep Occurrence Map provided by California Department of Fish & Wildlife
E. List of Dominant Plant Species
F. Wildlife Species Observed, Conway Ranch EIR
G. California Natural Diversity Database Table
H. ESLT Environmental Site Assessment Checklist
I. Mono County Dark Sky Ordinance
J. Mono County Ordinance, Public Use of Conway Ranch
K. Mono County Board of Supervisors Resolution approving the Conservation Easement
L. ESLT Board of Directors Resolution accepting the Conservation Easement
M. Copy of the Deed of Conservation Easement