

Agenda

County of Inyo Planning Commission

Board of Supervisors Room
Inyo County Administrative Center
Independence, California

LANIE SOMERS
CAITLIN (KATE) J. MORLEY
TODD VOGEL
CALLIE PEEK
SCOTT KEMP

FIRST DISTRICT
SECOND DISTRICT (CHAIR)
THIRD DISTRICT (VICE CHAIR)
FOURTH DISTRICT
FIFTH DISTRICT

Inyo County Planning Commission
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CATHREEN RICHARDS
PAULA RIESEN
MICHAEL ERRANTE
LESLIE CHAPMAN
CHRISTIAN MILOVICH

PLANNING DIRECTOR
PROJECT COORDINATOR
PUBLIC WORKS DIRECTOR
COUNTY ADMINISTRATOR
COUNTY COUNSEL

Please be advised the Planning Commission will be conducting its hearing in person at 224 N. Edwards, Board of Supervisor Chambers in Independence, California and will also include Zoom via videoconference. The videoconference will be accessible to the public by computer, tablet or smartphone at:

<https://us02web.zoom.us/j/83786312345?pwd=MmljSEwzL2hUd0VmVDFrUINjR2dSQ09>

You can also dial in by phone at 1-669-900-6833 Meeting Id: 837 8631 2345 and then enter Passcode: 353285. Public Comment may be provided by emailing the comments prior to the meeting. All emailed comments will be read into the record, and the Planning Commission will take that feedback into consideration as it deliberates. Please send comments to: inyoplanning@inyocounty.us

Items will be heard in the order listed on the agenda unless the Planning Commission rearranges the order or the items are continued. Estimated start times are indicated for each item. The times are approximate and no item will be discussed before its listed time.

Lunch Break will be given at the Planning Commission's convenience.

The Planning Commission Chairperson will announce when public testimony can be given for items on the Agenda. The Commission will consider testimony on both the project and related environmental documents.

The applicant or any interested person may appeal all final decisions of the Planning Commission to the Board of Supervisors. Appeals must be filed in writing to the Inyo County Board of Supervisors within 15 calendar days per ICC Chapter 15 [California Environmental Quality Act (CEQA) Procedures] and Chapter 18 (Zoning), and 10 calendar days per ICC Chapter 16 (Subdivisions), of the action by the Planning Commission. If an appeal is filed, there is a fee of \$300.00. Appeals and accompanying fees must be delivered to the Clerk of the Board Office at County Administrative Center Independence, California. If you challenge in court any finding, determination or decision made pursuant to a public hearing on a matter contained in this agenda, you may be limited to raising only those issues you or someone else raised at the public hearing, or in written correspondence delivered to the Inyo County Planning Commission at, or prior to, the public hearing.

Public Notice: In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact the Planning Department at (760) 878-0263 (28 CFR 35.102-3.104 ADA Title II). Notification 72 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting. Should you because of a disability require appropriate alternative formatting of this agenda, please notify the Planning Department 2 hours prior to the meeting to enable the County to make the agenda available in a reasonable alternative format (Government Code Section 54954.2).

August 17, 2022

10:00
A.M.

1. **PLEDGE OF ALLEGIANCE.**
2. **ROLL CALL** – Roll Call to be taken by staff.
3. **PUBLIC COMMENT PERIOD** – This is the opportunity for anyone in the audience to address the Planning Commission on any planning subject that is not scheduled on the Agenda.
4. **APPROVAL OF MINUTES** – Approval of minutes from the June 29, 2022 Planning Commission Meeting.

Action
Item

Action
Item/
Public
hearing

5. **VARIANCE 2022-04/ SCOTT** - The applicant, Randy Scott, has applied for a variance for a non-conforming accessory building consisting of a garage, to encroach 2-feet into the required 5-foot side yard setback as the result of a pending Lot Line Adjustment. The property is zoned One-Family Residence (R1), located at 2812 Sierra Vista Way in the community of Bishop. The project is Exempt under the California Environmental Quality Act.

Action
Item/
Public
hearing

6. **LAWS RAILROAD TRACK EXPANSION PROJECT MITIGATED NEGATIVE DECLARATION** - As the Environmental Review Board for the County, the Inyo County Planning Commission is being asked to consider and certify the Laws Railroad Expansion Project Mitigated Negative Declaration (MND) of Environmental Impact, pursuant to the California Environmental Quality Act (CEQA). The project proposes to expand the visitor use railcar rides by 0.7-miles.

COMMISSIONERS' REPORT/COMMENTS

Commissioners to give their report/comments to staff.

PLANNING DIRECTOR'S REPORT

Planning Director, Cathreen Richards, will update the Commission on various topics.

CORRESPONDENCE – INFORMATIONAL

COUNTY OF INYO

PLANNING COMMISSION

MINUTES OF JUNE 29, 2022 MEETING

COMMISSIONERS:

LANIE SOMERS
CAITLIN (KATE) J. MORLEY
TODD VOGEL
CALLIE PEEK
SCOTT KEMP

FIRST DISTRICT
SECOND DISTRICT (CHAIR)
THIRD DISTRICT (VICE)
FOURTH DISTRICT
FIFTH DISTRICT

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STAFF:

CATHREEN RICHARDS
CHRISTIAN MILOVICH
PAULA RIESEN
LESLIE CHAPMAN
MIKE ERRANTE

PLANNING DIRECTOR
ASSISTANT COUNTY COUNSEL
PROJECT COORDINATOR
COUNTY ADMINISTRATOR
PUBLIC WORKS DIRECTOR

The Inyo County Planning Commission met in regular session on Wednesday, June 29, 2022. Commissioner Morely opened the meeting at 10:01 a.m. These minutes are to be considered for approval by the Planning Commission at their next scheduled meeting.

ITEM 1: **PLEDGE OF ALLEGIANCE** – All recited the Pledge of Allegiance at 10:01 a.m.

ITEM 2: **ROLL CALL** - Commissioners: Caitlin Morley, Todd Vogel, Scott Kemp, and Callie Peek were present.

Staff present: Cathreen Richards, Planning Director; Cynthia Draper, Assistant Planner, Paula Riesen, Project Coordinator, and Christian Milovich, Assistant County Counsel.

Staff absent: Leslie Chapman, County Administrator; Michael Errante, Public Works Director.

ITEM 3: **PUBLIC COMMENT PERIOD** – This item provides the opportunity for the public to address the Planning Commission on any planning subject that is not scheduled on the Agenda.

Chair Morley opened the Public Comment Period at 10:02 a.m.

With no one wishing to comment Chair Morley closed the public comment period at 10:02 a.m.

ITEM 4: **APPROVAL OF MINUTES (Action Item)** – Approval of the Minutes from the April 27, 2022 meeting of the Planning Commission.

Chair Morley asked for a correction on page 4. Where she states she would be happy to go to CCPCA conference again if no one else would like to go, it's a great conference.

MOTION: Commissioner Todd Vogel made the motion with the added corrections from Chair Morley to approve the minutes. Then the motion was seconded by Commissioner Callie Peek.

The Motion passed 4-0 at 10:03 a.m.

ITEM 5: **CONDITIONAL USE PERMIT-2022-02/COSO SIGNS - -** The applicant is requesting a CUP for two gas station signs to include electronic price readers. The property is zoned Highway Services and Tourist Commercial (C-2) and is located at 20 Gills Station Road, in the community of Coso Junction. A gas station and mini mart have been operating on the site for many years prior to current new development. The applicant has applied for the CUP to change an existing Chevron sign to include the electronic component to display gas prices; and to update a high rise pole sign to include an electronic component to display gas prices. This project is Categorically Exempt under CEQA.

Cynthia Draper, Assistant Planner, gave a staff report.

Chair Kate Morley opened public comment at 10:08 a.m.

With no one wishing to speak Chair Morley closed the public comment period at 10:08 a.m.

MOTION: Commissioner Todd Vogel made a motion to approve CUP-2022-02/Coso Signs with the findings 1-7 and conditions 1-2 of approval as identified in the staff report and find that this project is exempt under CEQA. Commissioner Scott Kemp made the second.

The Motion passed 4-0 at 10:09 a.m.

ITEM 6: **VARIANCE 2022-03/COSO SIGNS –** The applicant is requesting a sign height and size variance to exceed the 50-square-foot maximum size for an electronic price reader sign to 84-square-feet; and to exceed the 25-foot sign height maximum to 50-feet. The property is zoned Highway Services and Tourist Commercial (C-2) and is located at 20 Gills Station Road, in the community of Coso Junction. This project is Categorically Exempt under CEQA.

Cynthia Draper, Assistant Planner gave the staff report.

Chair Morley and Commissioner Callie Peek asked clarifying questions.

Chair Kate Morley opened public comment at 10:18 a.m.

With no one wishing to speak Chair Morley closed the public comment period at 10:18 a.m.

MOTION: Commissioner Callie Peek made a motion to approve VAR-2022-03/Coso Signs with the findings 1-7 and 1 condition of approval as identified in the staff report and find that this project is exempt under CEQA. Commissioner Scott Kemp made the second.

The Motion passed 4-0.

ITEM 7: **ZONE TEXT AMENDMENT-2022-05/ OUTDOOR SEATING** - Staff has drafted a proposed ordinance to amend the Inyo County Zoning Code Chapters 18.44 - Central Business; 18.48 - Highway Services and Tourist Commercial; 18.45 – General Commercial and Retail; and, 18.54 - Commercial Recreation of the Inyo County Code to allow outdoor seating as an accessory use.

Cathreen Richards, Planning Director gave the staff report.

Chair Kate Morley opened public comment at 10:32 a.m.

With no one wishing to speak Chair Morley closed the public comment period.

MOTION: Commissioner Todd Vogel made a motion to approve ZTA-2022-05/Outdoor Seating with the findings 1-3 as identified in the staff report and recommend the Board of Supervisors approve the ordinance. Commissioner Scott Kemp made the second.

The Motion passed 4-0.

ITEM 8: **PUBLIC WORKS UPDATE** – Michael Errante, Public Works Director, shared a filmed presentation of the on-going work at the Pine Creek Bridge Replacement Project, stating the goal to finish the bridge is for November 2022. Ashley Helms provided a presentation of the recent changes made to Bishop Airport and ongoing flights’ status.

COMMISSIONERS’ REPORT/COMMENTS –

No comments at this time.

DIRECTOR’S REPORT –

Planning Director, Cathreen Richards, introduced staff’s new Associate Planner, Danielle Visuano.

Planning Director, Cathreen Richards, explained that there are not any projects ready for the July 27, 2022 meeting so that meeting will be cancelled. Also, we need to reschedule the August Planning Commission meeting to August 17, 2022.

ADJOURNMENT –

Chair Kate Morley requested a motion to adjourn the meeting at 11:36 a.m. The next meeting will be August 17, 2022, at 10:00 a.m.

Motion by Commissioner Scott Kemp.

Seconded by Commissioner Callie Peek.

Motion passed 4-0.

Prepared by:
Paula Riesen
Inyo County Planning Department



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AGENDA ITEM NO.: # 5 (Action Item – Public Hearing)

**PLANNING COMMISSION
MEETING DATE:** August 17, 2022

SUBJECT: Variance #2022-04/ Scott

EXECUTIVE SUMMARY

The applicant, Randy Scott, has applied for a variance for a non-conforming accessory building consisting of a garage to encroach 2-feet into the required 5-foot side yard setback. The setback encroachment is the result of a pending lot line adjustment, which cannot be completed without the Variance. The property is zoned one-family residence (R1-10,000), located at 2812 Sierra Vista Way in the community of Bishop. The project is Exempt under the California Environmental Quality Act.

PROJECT INFORMATION.

Supervisory District: 3

Project Applicant: Randy Scott, 2812 Sierra Vista Way, Bishop CA

Property Owner: Randy Scott, 2812 Sierra Vista Way, Bishop CA

**Site Address/
Community:** 2812 Sierra Vista Way, Bishop CA

A.P.N.: 011-330-59

General Plan: Residential Low Density (RL)

Zoning: One-Family Residence (R1) 10,000 square feet minimum

Size of Parcel: 19,980 square feet

Surrounding Land Use:

Location	Use	General Plan Designation	Zone
Site	Previously developed - Single family residence	Residential Low Density (RL)	One-Family Residential (R1) 10,000-sq-ft minimum
North	Single family homes	Residential Low Density (RL)	One-Family Residential (R1) 10,000-sq-ft minimum
East	Single family homes	Residential Low Density (RL)	One-Family Residential (R1) 10,000-sq-ft minimum
South	Single family homes	Residential Low Density (RL)	One-Family Residential (R1) 10,000-sq-ft minimum
West	Single family homes	Residential Low Density (RL)	One-Family Residential (R1) 10,000-sq-ft minimum

Staff Recommended Action: **1.) Approve the Variance.**

Alternatives:

- 1.) Deny the Variance.
- 2.) Approve the Variance with additional Conditions of Approval.
- 3.) Continue the public hearing to a future date and provide specific direction to staff regarding what additional information and analysis is needed.

Project Planner: Cynthia Draper

STAFF ANALYSIS

Variance Request & Site Characteristics

The applicant, Randy Scott, owns a 19,980-sq-ft property located at 2812 Sierra Vista Way, in Bishop. The parcel is currently developed with a single-family home and is zoned one-family residence (R1-10,000). In 1992, Randy Scott adjusted the lot line on his property giving the easterly 32-feet to parcel 011-330-60, owned by his father, Harold Scott, to accommodate the construction of a garage. Both parties would like to adjust the lot lines back to their original position however this will result in the garage residing on the applicant's property and will be shy of the required side-yard setback, thus becoming non-conforming. Randy Scott has requested a variance for the non-conforming garage to encroach 2-feet into the 5-foot required side yard setback on the east side of his property. Once the lot line adjustment is complete, both properties will be over 20,000 sq-feet, meeting the minimum requirement for an R1-10,000 zone and all other setbacks will be met. The application for lot line adjustment cannot be approved without the variance.

The properties within the same block and surrounding the proposed project parcel are zoned R1-10,000 and many of them do not meet setback requirements.

The R1 zone requires the following setbacks:

- Front: 25-feet
- Rear: 5-feet
- Side: 5-feet

Proposed Site Plan



Provision for Variances

The Inyo County Zoning Ordinance states that any variance to the terms of the Zoning Ordinance may be granted if such a variance would “*not be contrary to its general intent or the public interest, where due to special conditions or exceptional characteristics of the property or its location or surroundings, a literal enforcement would result in practical difficulties or unnecessary hardships*” (Section 18.81.040).

Further, the Zoning Ordinance states that the following three Findings must be affirmed in order for any variance to be granted:

1. That there are exceptional circumstances applicable to the property involved, or to the intended use, which do not generally apply to other property in the same district.
2. That the result would not be detrimental to the public welfare, or injurious to property in the vicinity.
3. That the strict application of the regulation sought to be modified would result in practical difficulties or hardships inconsistent with, and not necessary for the attainment of, the general purposes of this title.

In addition to the above Findings specified in the Inyo County Zoning Ordinance, California State Government Code requires the following Findings for any variance:

4. The proposed variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.
5. The proposed variance does not authorize a use or activity that is not otherwise expressly authorized by the zoning regulation governing the parcel of property.
6. The proposed variance is consistent with the General Plan.
7. The requirements of the California Environmental Quality Act have been met.

Affirmative variance Findings must describe the special circumstances that act to physically differentiate the project site from its neighbors and make it unique, and thus uniquely justified for a variance; alternatively, negative findings must describe how the project’s physical characteristics are not unique or exceptional, and therefore do not justify a variance.

ALL seven of the Findings must be affirmed in order for a variance to be approved.

ENVIRONMENTAL REVIEW

This project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA), under the Class 5 exemption, “Minor alterations to land use limitations, such as lot line adjustments, variances, and encroachment permits on land with a slope of less than 20%, which do not result in changes in land use or density.”

NOTICING AND REVIEW

The application for VAR 2022-04/Scott has been reviewed by the appropriate county departments. No issues were reported by County staff.

The hearing for VAR 2022-03/Scott was noticed on August 4, 2022, in the Inyo Register and mailed to property owners within 300-feet of the project location on August 4, 2022, as required by the Inyo County Code. No comments have been received to date.

RECOMMENDATIONS

Findings

Staff has reviewed this application and can find that all seven of the required Findings can be affirmed:

1. That there are exceptional circumstances applicable to the property involved, or to the intended use, which do not generally apply to other property in the same district.

(Affirmative – Evidence: Due to the pending lot line adjustment, the applicant has requested the variance for a non-conforming accessory building (garage), to encroach 2- feet into the required 5-foot setback. A previous lot line adjustment had given 32-ft of the easterly portion of the applicant's property to the adjacent property, owned by his father, for the construction of the garage. Moving the lot lines back to their original position will result in the garage residing on the applicant's parcel and this will cause the garage to be non-conforming. Moving the lot lines back to their original position will clean up the property lines resulting in both properties having the square footage required to subdivide if desired. Without a variance for the non-conforming garage, the applicant cannot complete the lot line adjustment.

2. That the result would not be detrimental to the public welfare, or injurious to property in the vicinity.

(Affirmative – Evidence: This variance request is to encroach into a side yard setback and will not result in allowing for activities that are unusual to the surrounding neighborhood and it would not be detrimental or injurious to either public welfare or other properties in the vicinity as it is a single-family residence in a residentially zoned neighborhood. The shorter side yard will also not create privacy or encroachment issues with the adjoining property as it is about 15-feet from the neighboring house.

3. That the strict application of the regulation sought to be modified would result in practical difficulties or hardships inconsistent with, and not necessary for the attainment of, the general purposes of this title.

(Affirmative – Evidence: The applicant is in the process of applying for a lot line adjustment to move the property lines back to their original position. In doing so, it will cause the existing garage to become non-conforming. Not granting the

variance would result in the owner not being able to move the lot lines back to their original position. Granting a variance to encroach approximately 2-feet into the side yard setback would still allow the general purposes of Title 18.33 (R1 of the Zoning Code to be fulfilled, as the encroachment would not change the residential character, density, or use of the property.

4. The proposed variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated.
(Affirmative – Evidence: The property owner is in the process of applying for a lot line adjustment to put the property lines back to their original position. In doing so, it will cause the existing garage to encroach 2-feet into the required 5-foot setback. There are other homes located in the surrounding neighborhood that also do not meet setback requirements. For this reason, the requested variance to encroach into the side yard setback cannot be said to constitute a grant of special privileges. It would, instead, allow the property owners the ability to use their property in the same manner as the other properties in the vicinity.)
5. The proposed variance does not authorize a use or activity that is not otherwise expressly authorized by the zoning regulation governing the parcel of property.
(Affirmative – Evidence: The proposed variance applies to side yard setback requirements. The existing residential use is permitted in the R1 Zone and would not change as a result of this action.)
6. The proposed variance is consistent with the Inyo County General Plan
(Affirmative – Evidence: The requested variance presents no inconsistencies with the General Plan land use designation of the project site, which is Residential Low Density (RL).
7. The requirements of the California Environmental Quality Act have been met.
(Affirmative – Evidence: The requested variance is not subject to the provisions of CEQA, being categorically exempt under Class 5, which applies to Variances.)

Conditions of Approval

- 1.) Hold Harmless: the applicant, landowner, and/or operator shall defend, indemnify and hold harmless Inyo County, its agents, officers and employees from any claim, action, or proceeding against the County, its advisory agencies, appeal boards, or its legislative body concerning Variance #2022-04/Scott Failure to comply with conditions of approval could result in the revocation of the Variance.

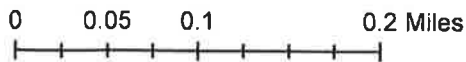
ATTACHMENTS

- Vicinity map

Variance 2022-04/ Scott



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community





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AGENDA ITEM No. #6 (Action Item - Public Hearing)

PLANNING COMMISSION
MEETING DATE:

August 17, 2022

**SUBJECT: Laws Railroad Museum – Visitor Use Railcar Ride Track
Expansion Project**

EXECUTIVE SUMMARY

As the Environmental Review Board for the County, the Inyo County Planning Commission is being asked to consider and potentially certify the Draft Mitigated Negative Declaration (MND) of Environmental Impact pursuant to the California Environmental Quality Act (CEQA) for the Laws Railroad Museum.

PROJECT INFORMATION

Supervisorial District: First

Applicant: Bishop Museum and Historical Society, Inc. DBA Laws Railroad Museum and Historic Site

Landowner: The project area is leased from the Los Angeles Department of Water & Power

**Address/
Community:** Silver Canyon Road in the Community of Laws

A.P.N.: 010-170-10

General Plan: *OSR (Open Space and Recreation)*

Zoning: OS-40 (*Open Space*), 40-acre minimum parcel size

Project Size: 515-acres

Location:	Use:	Gen. Plan Designation	Zoning
North	Vacant	(A) Agriculture	(OS) Open Space
South	Vacant	(A) Agriculture	(OS) Open Space
East	Vacant	(A) Agriculture	(OS) Open Space
West	Vacant	(A) Agriculture	(OS) Open Space

Recommended

Action: Adopt the Mitigated Negative Declaration and certify that the requirements of the California Environmental Quality Act have been met.

Alternatives: Determine the Draft Mitigated Negative Declaration is inadequate and require additional consideration of potentially significant environmental effects and continue the consideration of this Draft Mitigated Negative Declaration to a date certain and provide Staff with specific direction as to any additional information needed.

Project Planner: Cynthia Draper, Assistant Planner

BACKGROUND/OVERVIEW

The Project consists of the restoration of approximately 0.7-miles or 3,700-feet of existing railroad grade and re-laying railroad track for a visitor use railcar. The restoration of the existing RR grade directly south of the Laws Museum grounds will connect to the track currently being used for visitor rides and education. The new track will run to just short of the McNally Return Ditch (aka Laws Ditch) and will not cross it. This will make the total distance of the train car rides approximately 1.25-miles. The rides currently run every other weekend and some holidays and for private events. The project proponent estimates a maximum number of train rides per year after the extension of 300. The project plan is as follows:

1. Restore the existing railroad grade south of the Laws Museum grounds and lay track to the McNally Return Ditch Crossing, approximately .7 miles from the end of tracks on the museum grounds. All work is to be confined within the old 60 foot wide Right of Way (ROW) as delineated by the partial remaining fence line south of the Museum property line.
2. Construct a truck trail on the west side and adjacent to the old track bed to allow access for construction, maintenance, and in case of future emergencies. The trail is to run from the Museum grounds to the McNally Return Ditch crossing.
3. Clear weeds and brush from the historic track bed by hand grubbing and mechanical means where practical.
4. Repair existing track bed as necessary and replace drainage culverts as needed. This work would be done with appropriate mechanized equipment such as a backhoe and small earth moving equipment.

5. Lay track on the historic track bed to the McNally Return Ditch (a.k.a. Laws Ditch) crossing. The method anticipated for building the track will be by constructing building panels of track (commonly called “snap track”) and moving the 33-foot panels into place on the roadbed by loading the panels on to a flat car and moving the flat car along the track to the end where the panel would then be lifted from the car and set in place for connecting to the existing track. This method of laying track is like modern methods of laying segmented rail.

ENVIRONMENTAL REVIEW

As the County's Environmental Review Board, the Planning Commission must review and certify the Mitigated Negative Declaration before the project can begin. An Initial Study was prepared to assess the potential effects of Track Expansion on the environment in the project area. The ISMND has been prepared pursuant to CEQA and includes mitigation measures to reduce potentially significant impacts of the project. These measures contain mitigations to ensure the protection of a special status species Swainson's Hawk and access to water quality monitoring through established vegetation monitoring sites.

TRIBAL CONSULTATION

Inyo County started the 30-day Tribal Consultation opportunity period according to Public Resource code section 21080.31 by sending out a certified written notices on May 18, 2022, inviting the Tribes to consult on the project. The tribes that were notified are: Big Pine Tribe of Owens Valley, Bishop Paiute Tribe, Fort Independence Indian Community of Paiutes, Lone Pine Paiute-Shoshone Tribe, Timbisha Shoshone Tribe, Twenty-Nine Palms Band of Mission Indians, Cabazon Band of Mission Indians and the Torrez Martinez Desert Cahuilla Indians. None of the Tribes requested consultation.

PUBLIC NOTICE

A Notice of Availability of the Draft Mitigated Negative Declaration was filed with the Inyo County Clerk and published in the *Inyo Register*. The ISMND was posted with State Office of Planning and Research's State Clearinghouse (SCH No. 2022060517). Notice of this public hearing was posted, published and mailed to the surrounding property owners within 300 feet of the subject property. The comment period for the Draft Mitigated Negative Declaration expired on July 22, 2022.

COMMENTS RECEIVED

Comments were received from the City of Los Angeles Department of Water and Power (DWP), and a group of DWP ranch lessees who also use the property. Additional mitigation measure will be included in the Final MND addressing cattle fencing; requirements of the applicant to provide DWP descriptions of construction processes and equipment and Best Management Practices; a requirement for the applicant to obtain approval from DWP on the design of the railroad grade and berm and culverts; and review and approval from DWP on construction equipment and herbicide use requirements. DWP, as the property owner and entity with leasing authority, will ensure all their requested construction related mitigations are met.

RECOMMENDATIONS

Based on the Final Mitigated Negative Declaration, the staff report, and all oral and written comments received, staff recommends that the Planning Commission approve the ISMND and certify that the provisions of the California Environmental Quality Act have been satisfied.

ATTACHMENTS

1. ISMND
2. Comment letters
3. Project Location Map



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DRAFT MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT **AND INITIAL STUDY**

PROJECT TITLE: Laws Museum Track Expansion Project

PROJECT LOCATION: The proposed project is located directly to the south of the Laws Railroad (RR) Museum on Silver Canyon Road, in the community of Laws, approximately five miles northeast of the town of Bishop in Inyo County, CA (Map attached)

PROJECT DESCRIPTION: The Project consists of the restoration of approximately 0.7-miles or 3,700-feet of existing railroad grade and re-laying railroad track for a visitor use railcar. The restoration of the existing RR grade directly south of the Laws Museum grounds will connect to the track currently being used for visitor rides and education. The new track will run to just short of the McNally Return Ditch (aka Laws Ditch) and will not cross it. This will make the total distance of the train car rides approximately 1.25-miles. The rides currently run every other weekend and some holidays and for private events. The project proponent estimates a maximum number of train rides per year after the extension of 300. The project plan is as follows:

1. Restore the existing railroad grade south of the Laws Museum grounds and lay track to the McNally Return Ditch Crossing, a distance of approximately .7 miles from the end of tracks on the museum grounds. All work is to be confined within the old 60 foot wide Right of Way (ROW) as delineated by the partial remaining fence line south of the Museum property line.
2. Construct a truck trail on the west side and adjacent to the old track bed to allow access for construction, maintenance, and in case of future emergencies. The trail is to run from the Museum grounds to the McNally Return Ditch crossing.
3. Clear weeds and brush from the historic track bed by hand grubbing and mechanical means where practical.
4. Repair existing track bed as necessary and replace drainage culverts as needed. This work would be done with appropriate mechanized equipment such as a back hoe and small earth moving equipment.
5. Lay track on the historic track bed to the McNally Return Ditch (a.k.a. Laws Ditch) crossing. The method anticipated for building the track will be by constructing building panels of track (commonly called "snap track") and moving the 33-foot panels into place on the roadbed by loading the panels on to a flat car and moving the flat car along the track to the end where the panel would then be lifted from the car and set in place for connecting to the existing track. This method of laying track is similar to modern methods of laying segmented rail.

FINDINGS:

- A. The proposed project is consistent with goals and objectives of the Inyo County General Plan.
- B. The proposed project is consistent with the provisions of the Inyo County Zoning Ordinance.

- C. Potential adverse environmental impacts will not exceed thresholds of significance, either individually or cumulatively.
- D. Based upon the environmental evaluation of the proposed project, the Planning Department finds that the project does not have the potential to create a significant adverse impact on flora or fauna; natural, scenic and historic resources; the local economy; public health, safety, and welfare. This constitutes a Mitigated Negative Finding for the Mandatory Findings required by Section 15065 of the CEQA Guidelines.

The 30-day public review period for this Draft Mitigated Negative Declaration will expire on July 21, 2022. Inyo County is not required to respond to any comments received after this date.

Additional information is available from the Inyo County Planning Department. Please contact Project Planner if you have any questions regarding this project.

Cynthia Droper
Name

6/21/22
Date



Planning Department
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Independence, California 93526

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INYO COUNTY PLANNING DEPARTMENT

APPENDIX G: CEQA INITIAL STUDY & ENVIRONMENTAL CHECKLIST FORM

1. Project title: Laws Museum Track Restoration and Expansion Project
2. Lead agency name and address: Inyo County Planning Department, PO Drawer L, Independence, CA 93526
3. Contact person and phone number: Cathreen Richards: 760-878-0447
4. Project location: The Project area is located within the northern portion of Inyo County, immediately south of the Laws Railroad Museum Site, approximately five miles northeast of Bishop California in the community of Laws.
5. Project sponsor's name and address: Bishop Museum and Historical Society, Inc. DBA Laws Railroad Museum and Historic Site
P.O. Box 363, Bishop Ca, 93515
6. General Plan designation: State and Federal Lands
7. Zoning: Open Space (OS)
8. Description of project: Restoration of the existing RR grade south of the Laws Museum grounds and laying of track to the McNally Return Ditch (aka Laws Ditch) for a total distance of approximately 0.7 miles from the end of the tracks on the museum grounds.
9. Surrounding land uses and setting:

Location:	Use:	Gen. Plan Designation	Zoning
North	Vacant	(A) Agriculture	(OS) Open Space
South	Vacant	(A) Agriculture	(OS) Open Space
East	Vacant	(A) Agriculture	(OS) Open Space
West	Vacant	(A) Agriculture	(OS) Open Space

10. Other public agencies whose approval is required: Los Angeles Department of Water and Power; Inyo County Building and Safety, Inyo County Public Works.

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation

begun? Inyo County started the 30-day Tribal Consultation opportunity period according to Public Resource code section 21080.31 by sending out a certified written notices on May 18, 2022, inviting the Tribes to consult on the project. The tribes that were notified are: Big Pine Tribe of Owens Valley, Bishop Paiute Tribe, Fort Independence Indian Community of Paiutes, Lone Pine Paiute-Shoshone Tribe, Timbisha Shoshone tribe, Twenty-Nine Palms Band of Mission Indians, Cabazon Band of Mission Indians and the Torrez Martinez Desert Cahuilla Indians. None of the Tribes requested consultation.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics Resources | <input type="checkbox"/> Agriculture & Forestry | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology /Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials |
| <input checked="" type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Cynthia Droppa
Name

6/21/22
Date

INYO COUNTY PLANNING DEPARTMENT ENVIRONMENTAL CHECKLIST FORM

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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I. AESTHETICS -- Would the project:

a) Have a substantial adverse effect on a scenic vista?
No, the project site is covered predominately with flat brush and scarce intermittent trees within an undeveloped rural setting. There are views to the mountains to the west from the proposed rail extension, but it will not block it. The project site is also not visible from any regularly traveled public roads or highways.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
No, the project site is not located near a state scenic highway and no buildings are located within the proposed project area.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
No, the proposed project is the site of a former railroad line. The project will involve clearing weeds and brush that has grown over the existing remnants of the railroad grade. It will not degrade the existing visual character of the area and may even enhance it by continuing the historic character of the museum further south.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?
No, the railroad tracks will be at ground level and will not have heavy frequent daily travel which tends to cause railroad tracks to develop a rusty color. This will keep the tracks from producing glare. Even if some polish does develop with use, glare would not be substantial.

II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including The Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology Provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
No, the project is not located on land designated as farmland.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
No, the project is not located on land zoned exclusively for agriculture. Inyo County has no Williamson Act contracts.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				

No, the project is not zoned for forest or timberland.

d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project is not located on forestland.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project is not located on farmland.

III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, there is not an air quality plan for the area in which the project is proposed.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, there are no air quality standards being violated in the area which the project is proposed.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project includes a small visitor use only railcar ride operation. It is not within an area that is in non-attainment for any criteria pollutants and none of the project components will release emissions that exceed ozone thresholds.

d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project proposes that the visitor rides, at the maximum, would be about eight per day and each ride would only go the distance of about 1.25-miles after the completion of the track extension. There are also no sensitive receptors in the area that would be affected by any possible limited emissions except museum visitors.

e) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the surrounding area is unpopulated except for the Laws Museum during operating hours.

IV. BIOLOGICAL RESOURCES: Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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A Biological Survey of the proposed project was conducted in July 2021 by Ms. Jennifer Richardson. The survey identified an active Swainson's Hawk nest in a tree adjacent to the historic railroad grade approximately .7 mile south from the Museum grounds at the proposed terminus of the project. To prevent disturbance of the nesting birds during the nesting season, all construction within 1/2 miles of the nest will be terminated until after fledging. A Monitor will conduct surveys of the nesting site weekly beginning no more than 30-days prior to the spring nesting season and continue until after fledging is observed. The same restriction shall apply to any future train operations and the visitor rides will end 1/2-mile from the nest side until after fledging.

No other species of plants or animals were identified during the biological survey. Habitat was determined to be possible for several plant and animal species by Ms. Richardson, though. Although the bulk of these were determined to be within the McNally ditch that will not be crossed, the project is being conditioned with a biological survey to be conducted prior to the granting of the grading permit to ensure no sensitive species are disturbed. If any species are discovered during this survey the applicant shall work with the California Department of Fish and Wildlife to prepare appropriate mitigation prior to the granting of the grading permit.

The biological report can be found at: <https://www.inyoounty.us/services/planning-department/current-projects>

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

No, there is no riparian area within the project site based on the USFWS National Wetlands Inventory Mapping Tool and the project will not affect sensitive natural communities as identified in plans, policies or regulation set forth by CDFW or US Fish and Wildlife.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No, the project site is 1/4 to 1/2 mile from the nearest wetland or water source and is not located within a wetland as depicted on the USFWS National Wetlands Inventory Mapping Tool. The McNally Ditch, which is about 10-feet deep and runs into the Owens River, is located at the end of the proposed rail line and will not be crossed. No federal or state protected wetlands or other waters occur in or adjacent to the project site.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

The project site is generally disturbed, consisting of mostly weedy vegetation and was not determined to function as a wildlife corridor by the biological report. A Swainson's Hawk nest was found just outside of the project boundaries and mitigation has been worked into the project to avoid disturbance, please see IV(a) above.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No, the project would not conflict with local policies. No trees would be removed or impacted as part of the project except to assure compliance with California Public Utilities Commission safety rules regarding minimum clearances around railroad trains.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No, the property is owned by LADWP and falls under LADWP's Owens Valley Habitat Conservation Plan for its operations, maintenance and management. The project site does not fall under any other approved local, regional or state habitat conservation plans.

V. CULTURAL RESOURCES: Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, a cultural resources assessment report was completed for the project in September 2021, which included a records search. The report was prepared for a larger project area and included the area of the current proposal (identified as Phase 1). Six historic wood culverts were found in the current proposed project area. These culverts will remain in place and unchanged during the rehabilitation project and then continue to function as they did historically. Nothing in the project area met the criteria as an archeological site pursuant to CEQA or for listing on the California Register of Historical Places or the National Register of Historic Places. In the unlikely event an archeological or cultural resource is discovered on the site during any future development, work shall immediately stop and Inyo County staff shall immediately be notified per Inyo County Code (ICC) Chapter 9.52, Disturbance of Archeological, Paleontological and Historical Features of the Inyo County Code. Therefore, the project will not cause an adverse change in the significance of an archeological resource if by chance one is discovered, pursuant to Section 15064.5.

The Cultural Resource Assessment can be found at: <https://www.inyocounty.us/services/planning-department/current-projects>

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, an archaeological resource assessment was completed for the project in September, 2021. Nothing in the project area met the criteria as an archeological site pursuant to CEQA or for listing on the California Register of Historical Places or the National Register of Historic Places. In the unlikely event an archeological or cultural resource is discovered on the site during any future development, work shall immediately stop and Inyo County staff shall immediately be notified per Inyo County Code (ICC) Chapter 9.52, Disturbance of Archeological, Paleontological and Historical Features of the Inyo County Code. Therefore, the project will not cause an adverse change in the significance of an archaeological resource if by chance one is discovered, pursuant to Section 15064.5.

c) Disturb any human remains, including those interred outside of dedicated cemeteries?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, there are no known human remains or burial sites within the project area. Refer to the response to (V b) for the potential for archaeological resources. While unlikely, human remains are a potential archaeological resource, and will be handled similar to other archaeological resources, as outlined in (V b). Also, based on conversations and an agreement between museum staff and the Bishop Paiute Tribal Historic Preservation Officer a condition is being added to the project that tribal monitor will be onsite during any ground breaking activities.

VI. ENERGY: Would the project:

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project is a 0.7-mile extension of rail line for visitor use only rides; it will not require large amounts of energy. Also, in order to keep the cost of the project within reason, energy consumption will be kept at a minimum and as efficiently as possible by the museum.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project is not located in one of the County's Solar Energy Development Areas (SEDA), as identified by the General Plan.

VII. GEOLOGY AND SOILS: Would the project:

a) Directly or indirectly cause substantial adverse effects, including the risk of loss injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, the project is not in an Alquist-Priolo zone. Also, the project does not include habitable structures and the historic record shows no past earthquake activity that affected the railroad's operations.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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ii) Strong seismic ground shaking?

No, as discussed above (VII. a), the proposed project would not include any habitable structures and no historic record can be found of past earthquakes effecting railroad operations.

iii) Seismic-related ground failure, including liquefaction?

No, the Owens Valley is a basin surrounded by mountain ranges where alluvium has been deposited and the groundwater is shallow enough to suggest potential liquefaction. An old well drilled in 1938 to a depth of 400 feet at the Laws Railroad Station site is no longer used, but still has water level of about 100 feet below the ground surface indicating the proposed project site would not be an area for liquefaction.

iv) Landslides?

No, the project site is virtually flat and does not contain slopes in the surrounding area that would be subject to landslides

b) Result in substantial soil erosion or the loss of topsoil?

No, grading and repairs to the existing railroad grade, which will include removal of some weeds and shrub growth, can lead to soil erosion, however the use of shale type soils and gravel where it is necessary to re-build the grade should minimize soil erosion. Also, re-seeding with native grasses after grading will continue to stabilize the surrounding soil.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

No, the Project site is essentially flat, and the immediate surrounding landscape does not contain slopes that would be subject to landslides. Repair of the existing railroad grade would not lend itself to potential lateral spreading, subsidence, or liquefaction. Collapse of parts of the railroad grade could potentially occur during or after an unusually heavy rainstorm or snow melt if drainage culverts are blocked or otherwise impeded.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

No, the proposed project is not located in an area with a known expansive soil type. If any questions arise about the quality of the soil during the railroad extension on the property, the applicant/developer shall work with Inyo County's Public Works Department to employ the proper design standards that mitigate for expansive soils.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater?

No, the proposed project does not include any septic tank or other waste disposal system. During the construction period portable toilets will put on site on a temporary basis.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

No, the Cultural Survey did not find a unique paleontological resource or site or unique geologic feature. The project site has been disturbed by historic railroad building and maintenance from 1883 to 1960.

VIII. GREENHOUSE GAS EMISSIONS: Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

No, the proposed additional 0.7-miles of a visitor use railroad extension project will not generate greenhouse gas emissions that will have a significant impact.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

No, the proposed additional 0.7-miles of a visitor use railroad extension project will not cause conflicts with a plan, policy or regulation adopted for the purpose of reducing greenhouse gasses.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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IX. HAZARDS AND HAZARDOUS MATERIALS:

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

No, construction activities would be temporary and would not involve any use of hazardous materials other than fueling and servicing of construction equipment. In general, this type of handling would be done on the museum property while the equipment is stored during down times. After construction of the railroad track is completed, approved herbicides may be used to help control unwanted weed growth next to the railroad tracks, if allowed by the land owner and shall be approved by the Inyo County Environmental Health Department.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

No, construction activities may involve limited transport use, or disposal of some hazardous materials, such as limited on site fueling/servicing of construction equipment and the transport of such materials. These types of materials are not acutely hazardous, and compliance with existing federal, state, and local regulations would ensure that construction impacts related to reasonably foreseeable accident conditions involving the release of hazardous materials would be minimal. Fueling/servicing of railroad equipment is always done at the Museum where the operating rail equipment is stored.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No, the proposed project is not within one-quarter mile of an existing or proposed school, nor will it emit hazardous emissions, or handle acutely hazardous materials, substances or waste.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No, the proposed project is not located on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. There are no DTSC sites mapped within or adjacent to the project area on Geotracker or EnviroStor databases.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

No, the project is not included in an airport land use plan or within two miles of a public or public use airport.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

No, the proposed project is in a mostly unpopulated rural setting. No evacuation plan exists for the project area.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

No, the only structure in the area after construction would be the railroad tracks and they not likely to be destroyed in a wildfire. If a wildfire is present or imminent in the area the museum will cease any train operations, thus not exposing the visiting public to the risk of wildfire exposure.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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X. HYDROLOGY AND WATER QUALITY:

Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

No, long term operation of the proposed project would include routine monitoring and maintenance to inspect the performance of the railroad grade, establishment of vegetation, and the potential for soil erosion or differential settlement. Project operation would not violate applicable water quality standards. No operational impacts to water quality would occur.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

No, the proposed project would repair and install railroad tracks on the existing historic railroad grade. It would not alter present groundwater recharge nor use any groundwater in the vicinity. LADWP has installed a pipe line on the ground surface in order to deliver water from a well located to the east of the museum to a field on the west side as part of a mitigation project. That pipe-line crosses the historic railroad grade. The project will cross over the pipe-line without disturbing it.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

- i) result in a substantial erosion or siltation on- or off-site;
- ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;
- iii) create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or
- iv) impede or redirect flood flows?

No, the present wood culverts identified in the Cultural Report will remain in place. Many are still functioning as originally intended. In addition, several places have been identified where cuts or ditches have been created in the historic railroad grade to allow water run off down the slight slope. Culverts will be placed in those cuts so water runoff will not be impeded and allowed to pool.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

No, the proposed project is not located in or near a flood hazard, tsunami or seiche zone. It is ¼ to ½ mile from the Owens River with a generally west-south westerly slope of approximately 1% from the project location to the river.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

No, the project is not proposed in an area that is included in a water quality control or sustainable ground water management plan. There are, however, vegetation monitoring sites established in the area for the City of Los Angeles/ Inyo County Long Term Water Agreement. One of the permanent transects used for this monitoring program (located on the west side of the grade) may be affected by the project. The grading permit will be conditioned with the project avoiding the monitoring sites and with contacting the Inyo County Water Department before construction to ensure the monitoring area is not impacted by the project. The applicant will also ensure that Water Department and LADWP staff can enter the project area to conduct monitoring activities unfettered by cattle fencing by providing walkthroughs in the fencing. The applicant shall work with the County Water Department and LADWP on the placement of these walkthroughs, prior to the completion of the project.

XI. LAND USE AND PLANNING: Would the project:

a) Physically divide an established community?

No, the proposed project site is in a mostly unpopulated rural area.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the area of the proposed project is zoned Open Space and is occasionally used for range cattle grazing. The project will not interfere with this use.

XII. MINERAL RESOURCES: Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, according to the State of California Department of Conservation Division of Oil, Gas, and Geothermal Resources, there are no known valuable mineral resources in the vicinity of the proposed project.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project site is not delineated as a locally important mineral resource recovery site in the Inyo County General Plan. Further, no active mines or mineral prospects exist on or near the proposed project site.

XIII. NOISE: Would the project result in:

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, the Inyo County General Plan requires noise-reducing mitigation measures be implemented during construction when residential uses or other sensitive receptors are located within 500 feet of the site. No noise sensitive receptors are located within 500 feet of the proposed project site. Post construction operations of the Death Valley RR Brill car would create noise levels equivalent to that of a diesel engine pickup truck running at idle speed (5-10 mph is normal operating speed for museum rides). This noise level is intermittent and is not stationary and is already found at the site.

b) Generation of excessive ground borne vibration or ground borne noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, although the visitor use railcar does generate some noise and vibration as it runs along the track, the area and people that may be affected are on the Museum grounds or on the railcar and this is part of the desired experience. These vibrations and noise do not affect anyone outside of the museum grounds due to the mostly unpopulated, rural, nature of the area. This activity has been going on at the site for many years without impact. This project extends the use approximately 0.7-miles.

c) For a project located within the vicinity of a private airstrip or, an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the Eastern Sierra Regional Airport is located four miles from the proposed project site. There are no residences located within ¼ mile of the proposed project.

XIV. POPULATION AND HOUSING: Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, no new homes are proposed, and the only new road would be an emergency and maintenance access road adjacent to the railroad tracks.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No housing or other residences currently exist within the proposed project site.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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XV. PUBLIC SERVICES: Would the project:

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?
No, fire suppression services such as Cal Fire would respond from its existing station located approximately 9 miles away.

Police protection?
No, Inyo County Sheriff has primary law enforcement authority in the unincorporated areas of Inyo County, and patrols the community of Laws and its surroundings from its existing sub-station in the City of Bishop.

Schools?
No, the nearest schools are located within the City of Bishop, Five miles away from the project site. The rail extension project would not cause a need for more school services in the area.

Parks?
No, no new parks will be required because of this project.

Other public facilities?
No, no other public facilities except the Laws Museum are located in the vicinity.

XVI. RECREATION: Would the project:

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

No, this project would add to existing recreational activities in Northern Inyo County through the expansion of the existing visitor use train ride opportunities, but would not alter continuing maintenance of existing museum facilities.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

No, the proposed project would expand the visitor use train ride facilities of the Laws Railroad Museum and Historic Site by extending the existing Museum tracks on to the existing historic railroad right of way for approximately 0.7-miles. The revitalization of the old rail line would cause removal of weeds and shrubs that have grown on the old rail line and some grading in an area that has already been disturbed.

XVII. TRANSPORTATION:

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

No, the proposed project will not significantly increase traffic, and therefore, will not affect public transit, bicycle, or pedestrian facilities.

b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?

No, the project consists of the extension of railroad track of about 0.7-miles for visitor use train car rides for a total distance of approximately 1.25-miles. This will not be in conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b) as the applicant estimates that the train will generate a maximum of 300 rides per year, which would no result in more than 100 visitor trips per day for those rides. They also do not anticipate a significant increase of visitors due to the track extension. Based on this information, it can be determined that the average daily trips are less than the 100 trips that would require a detailed traffic analysis

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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on the project. Therefore, the Project will result in less than significant impacts to this resource. The subject site is not within one-half mile of either an existing major transit stop or high quality transit corridor.

c) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?

No, the proposed project will not result in any design features for transportation that increase hazards.

d) Result in inadequate emergency access?

The addition of an access road alongside the railroad track will improve emergency access alongside the proposed project. The planned gate at the Museum (north) end of the road would prevent unauthorized vehicle access to the museum grounds but would be opened in case of emergency to allow fire trucks or other emergency vehicles access to that area.

XVIII. TRIBAL CULTURAL RESOURCES: Would the project:

cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

No, the Cultural Survey done in 2021 did not reveal any resources eligible for listing.

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

No, there are no specific tribal cultural resources identified, but the project area could be identified as sensitive for tribal cultural resources. The general area was part of traditional hunting grounds prior to settlement by Euro-American settlers. During the construction of the proposed project, unknown tribal cultural resources could be encountered. As discussed in Section V (b & c) above, ground disturbing activities would include Native American monitoring of project ground disturbing activities to ensure that impacts to Native American cultural resources are less than significant.

XIX UTILITIES AND SERVICE SYSTEMS:

Would the project:

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

No, no utility systems of any sort need to be constructed or moved. Culverts will be placed in cuts made after SPRR abandonment in order to continue to allow unrestricted flow of storm water. Nearby power lines will not be affected by any construction and are not in the proposed project area.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

No, water for dust control will be needed during construction. That water will be trucked in as needed. Railroad operations would not require any water on the project site.

c) Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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No, the only water to be used, and only during construction, will be for dust control. Railroad operations will not require any additional utility systems other than currently existing at the museum.

d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

No, some waste vegetation may be generated during construction, such as from brush and weed removal from the roadbed. That type of waste is bio-degradable and will be hauled to the Bishop Landfill where it would be chipped and reduced in volume to be used as mulch in various areas and gardens.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

No, the proposed project will comply with Inyo County's solid waste standards, as required by the Inyo County Department of Environmental Health.

XX. WILDFIRE:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

No, the proposed project area is State Responsibility Area for fire protection. Cal Fire would be the lead response department to any fires in the project area and would be backed up and supported by Bishop Volunteer Fire Department, U. S. Forest Service and Bureau of Land Management fire crews. That responsibility would not change regardless of the status of the project.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

No, the proposed project area would be unoccupied after construction except when railroad operations are taking place. If a fire occurs or is in progress, all railroad operations would be suspended during fire suppression activities.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

No, the proposed project includes an access road alongside the railroad. That road would serve as a fuel break as well as access to the rail line for maintenance and emergencies. In addition, necessary annual weed control on the track bed would impact the environment by reducing annual weed growth while reducing potential fire hazards. Power lines are in the near vicinity but are not directly associated with the project and are separately maintained by the power company.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

No, the area of the proposed project is relatively flat, with an approximate 1% slope toward the Owens river ¼ to ½ mile to the west of the project site. There would be no new structures other than railroad tracks and associated drainage culverts. As covered in (b) above, any railroad operations would be suspended during a wildfire.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE:

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

No, other than the proposed mitigation measures to reduce disturbance of the nesting hawks [IV (a)]; the monitoring efforts of a representative from local native American tribes in case native artifacts or human remains are uncovered [V (b)]; and Working with LADWP and the Inyo County Water Department to ensure no impact to ongoing vegetation monitoring, the proposed

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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project will re-establish part of an historic railroad line to operational condition. No rare or endangered plants, fish, or wildlife or ancient artifacts were found to exist in the area during the Cultural or Biological Surveys, but the potential for habitat was. A condition is included for the applicant to conduct a pre-project biological survey prior to the granting of a grading permit.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

No, the proposed project does not have impacts that are individually limited, but cumulatively considerable. Due to the sparseness of development in the area, and lack of disturbance to plant or animal habitat, and the fact that this is the restoration of a historic use at this location, it is well suited for the proposed railroad extension project.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

No, the proposed project has no known environmental effects which will cause substantial adverse effects on human beings either directly or indirectly. The proposed project would not adversely impact the surrounding area and may have some positive impacts resulting from the enhancement of the public's museum experience at the Laws Railroad Museum and Historic Site by adding to their understanding of the Owens Valley and views to the surrounding mountain ranges, and also familiarize them with the experience of rail travel in the late 19th and early 20th centuries.

INYO COUNTY PLANNING DEPARTMENT

CEQA APPENDIX G: INITIAL STUDY & ENVIRONMENTAL CHECKLIST FORM

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

- a) the significance criteria or threshold, if any, used to evaluate each question; and
- b) the mitigation measure identified, if any, to reduce the impact to less than significance issues.

Cynthia Draper

From: InyoPlanning <inyoplanning@inyocounty.us>
Sent: Wednesday, July 27, 2022 4:15 PM
To: Cynthia Draper
Subject: FW: Laws Museum Track Expansion Project

From: giacomimiranch@aol.com [mailto:giacomimiranch@aol.com]
Sent: Monday, July 11, 2022 2:10 PM
To: InyoPlanning
Subject: Laws Museum Track Expansion Project

CAUTION: This email originated from outside of the Inyo County Network. DO NOT click links or open attachments unless you recognize and trust the sender. Contact Information Services with questions or concerns.

July 11, 2022

To whom it may concern,

Following are comments that our family has concerning the Laws Museum Track Expansion Project:

The LADWP property that the tracks run through has been a part of the Cashbaugh family ranch for close to 100 years. Our family ties to Laws run deep. Our grandfather, West Amon, worked at Laws, our grandmother, Mabel K. Amon, taught school at Laws and our mother, Dorothy Amon Cashbaugh was born at Laws. We think the railroad extension is a great idea, however, we don't want it to compromise our ability to ranch. That leads to several concerns. First, any fence during construction or after would cut the ranch in half. That would severely hamper our ability to manage both livestock and feed. We would firmly oppose any fencing not first approved by us. Our second concern is crossing the Laws Waste. That is the only way our cows access North to South on this lease. Any crossing ever constructed would have to include easy access for cows.

Thank you from the Cashbaugh, Giacomini and Kemp family.

Sincerely,

Gary and Alonna Giacomini
601 Sierra St.
Bishop, CA 93514
760 873-5135
giacomimiranch@aol.com



BUILDING A STRONGER L.A.

Eric Garcetti, Mayor

Board of Commissioners

Cynthia McClain-Hill, President

Cynthia M. Ruiz, Vice President

Jill Banks Barad-Hopkins

Mia Lehrer

Nicole Neeman Brady

Chante L. Mitchell, Secretary

Martin L. Adams, General Manager and Chief Engineer

July 22, 2022

Ms. Cynthia Draper
Planning Department
County of Inyo
168 North Edwards Street
Post Office Drawer L
Independence, CA 93526

Dear Ms. Draper:

Subject: Laws Museum Track Expansion Project

The Los Angeles Department of Water and Power (LADWP) appreciates the opportunity to provide comments on the Laws Museum Track Expansion Project (Project) Draft Mitigated Negative Declaration (MND). The mission of LADWP is to provide clean, reliable water and power to the City of Los Angeles. Based on our review of the Project MND, we respectfully submit the below comments.

Comments:

1) General:

- a. Ongoing ranching activities must not be inhibited by the construction or operation of the Project. Fencing shall not be constructed around the project area, and cattle crossings for the proposed project's extended track must be feasible. This response is not to be construed as support or approval of any project.

2) Section – Project Description:

- a. LADWP requests a description of construction equipment and process.
- b. LADWP requests a description of Best Management Practices (BMP) to be implemented.

3) Section – VII. GEOLOGY AND SOILS (c):

- a. LADWP requests that the potential for collapse of parts of the railroad grade/berm are addressed and remedied as part of the project. Please describe how this concern will be rectified via design and BMPs.
- b. LADWP requests that the berm underneath the track is able to handle ponding of water as the water flows towards the culverts. Between the area of Laws Museum and the east/west ditch returning south to Owens River roughly 3,000 feet away, there are multiple dips along the pole line road which show approximate areas where water channelizes and moves west. LADWP recommends at a minimum eight culverts, with a capacity of 8-10 cubic feet per second (cfs), for this area. Please select culvert sizes that allow access for cleaning and the ability to remove debris. Please submit designs that include the elevation and length of the rail road track extension to Mr. Chad Lamacchia at Chad.Lamacchia@ladwp.com and Mr. Marshall Styers at Marshall.Styers@ladwp.com.
- c. Any environmental permits related to the culvert work or the project would be the responsibility of the project proponent.

4) Section – IX. HAZARDS AND HAZARDOUS MATERIALS (a):

- a. LADWP requests that construction equipment is serviced offsite, in a more controlled environment that minimizes the potential for leaks and spills.
- b. LADWP requests that all herbicide is approved by LADWP prior to application.

For any questions regarding the above comments, please contact Mr. Marshall Styers of my staff at (213) 367-3541 or Marshall.Styers@ladwp.com.

Sincerely,



Charles C. Holloway
Manager of Environmental Planning and Assessment

MS:mh

c: Mr. Chad Lamacchia
Mr. Marshall Styers

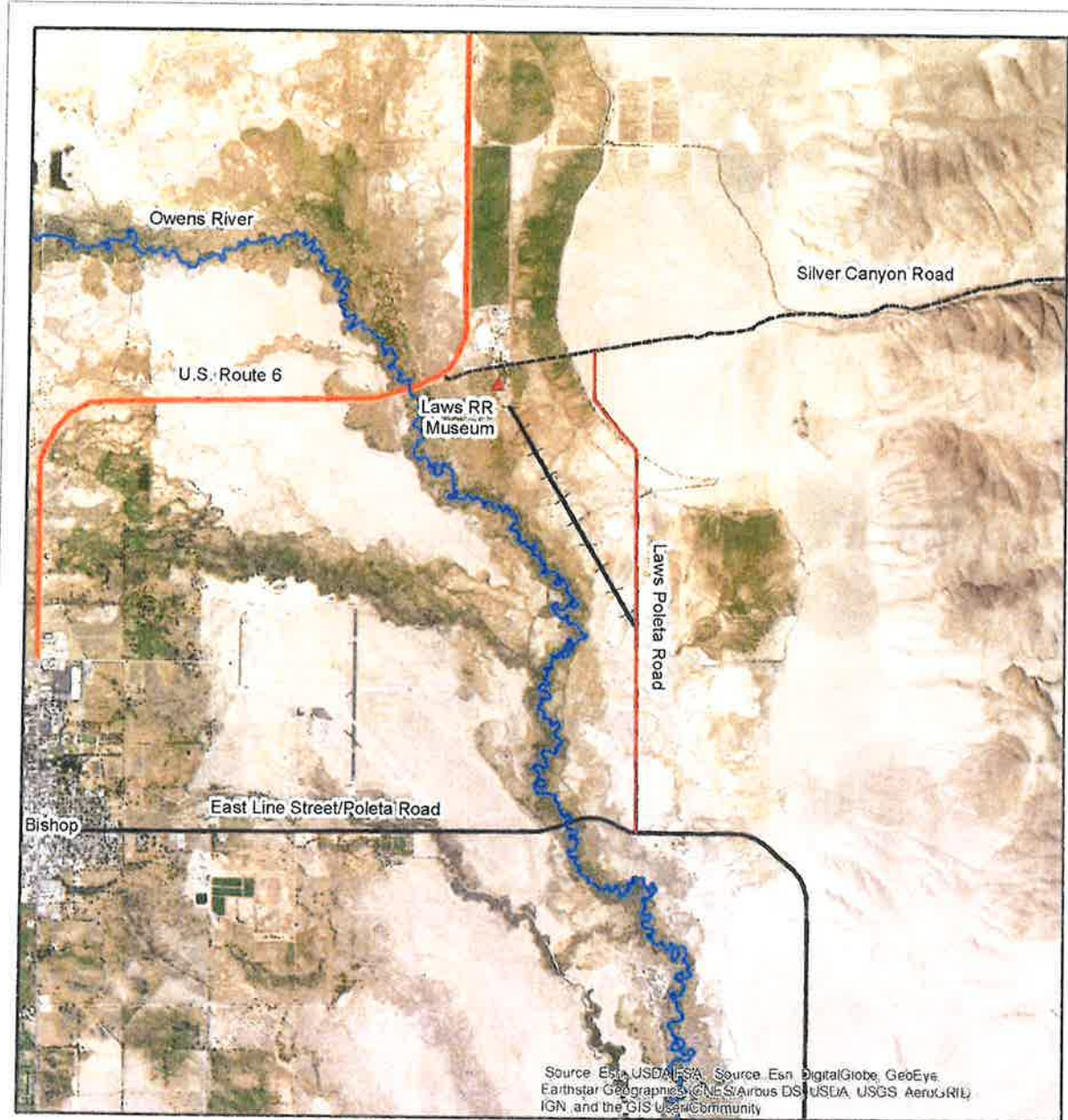


Figure 1. Project Location Map

Legend

—+— Existing Railroad Grade

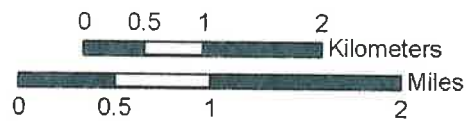


Figure 1-1 Project Location Map

September 2021