Downtown Bishop Specific Plan and Mixed-Use Overlay

Draft
Environmental Impact Report

SCH No. 2021050340

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TABLE OF CONTENTS

Section **Page**

EXECUTIVE SUMMARY ES-1
ES.1 Introduction ES-1
ES.2 Environmental Procedures ES-1
ES.3 EIR Format ES-2
ES.4 Type and Purpose of this EIR ES-3
ES.5 Project Location ES-3
ES.6 Project Summary ES-3
ES.7 Summary of Alternatives to the Project ES-4
ES.7.1 No Project Alternative ES-4
ES.7.2 Restricted Height Development Alternative ES-4
ES.7.3 Medium Development ES-4
ES.7.4 Low Development Alternative ES-4
ES.7.5 Assumptions and Methodology ES-5
ES.8 Issues to be Resolved ES-5
ES.9 Areas of Controversy ES-5
ES.10 Significant Impacts and Mitigation Measures ES-6

1.0 INTRODUCTION 1-1
1.1 Project Background 1-1
1.2 Scope and Organization of the EIR 1-2
1.3 Environmental Review Process 1-3
1.3.1 Notice of Preparation 1-3
1.3.2 Draft EIR 1-4
1.3.3 Public Notice/Public Review of Draft EIR 1-4
1.3.4 Final EIR 1-4
1.3.5 Notice of Determination 1-5
1.3.6 Mitigation Monitoring and Reporting Program 1-5

2.0 PROJECT LOCATION AND SETTING 2-1
2.1 Project Setting 2-1
2.2 Project Area 2-1
2.3 General Plan and Zoning Designations 2-2
2.3.1 General Plan 2-3
2.3.2 Zoning 2-3
2.4 References 2-4

3.0 PROJECT DESCRIPTION 3-1
3.1 Project Overview 3-1
3.2 Project Purpose 3-1
3.3 Project Objectives 3-2

TABLE OF CONTENTS (cont.)

Section **Page**

3.4 Project Description 3-2
3.4.1 Downtown Specific Plan 3-2
3.4.2 Mixed-Use Overlay Zone 3-3
3.4.3 Development Scenarios 3-4
3.5 Stakeholder Engagement in Project Development 3-6
3.6 Required Permits and Approvals 3-8
3.6.1 City of Bishop 3-8
3.6.2 Other Agency Required Approvals and Intended Uses of the EIR 3-8
3.7 References 3-8
4.0 Environmental Impact Analysis 4-1
4.1 Aesthetics 4.1-1
4.1.1 Environmental Setting 4.1-1
4.1.2 Significance Thresholds 4.1-6
4.1.3 Impact Analysis 4.1-6
4.1.4 Cumulative Impacts 4.1-12
4.1.5 References 4.1-13
4.2 Agriculture and Forestry Resources 4.2-1
4.2.1 Environmental Setting 4.2-1
4.2.2 Significance Thresholds 4.2-4
4.2.3 Impact Analysis 4.2-4
4.2.4 Cumulative Impacts 4.2-6
4.2.5 References 4.2-6
4.3 Air Quality 4.3-1
4.3.1 Environmental Setting 4.3-1
4.3.2 Methodology 4.3-8
4.3.3 Significance Thresholds 4.3-10
4.3.4 Impact Analysis 4.3-11
4.3.5 Cumulative Impacts 4.3-15
4.3.6 References 4.3-16

TABLE OF CONTENTS (cont.)

Section			Page
4.4	Biological Resources		4.4-1
	4.4.1	Regulatory Framework	4.4-1
	4.4.2	Methods	4.4-8
	4.4.3	Results: Environmental Setting	4.4-9
	4.4.4	Special-Status Species	4.4-12
	4.4.5	Significance Thresholds	4.4-25
	4.4.6	Impact Analysis	4.4-25
	4.4.7	Cumulative Impacts	4.4-33
	4.4.8	References	4.4-34
4.5	Cultural Resources		4.5-1
	4.5.1	Environmental Setting	4.5-1
	4.5.2	Significance Thresholds	4.5-17
	4.5.3	Impact Analysis	4.5-17
	4.5.4	Cumulative Impacts	4.5-22
	4.5.5	References	4.5-22
4.6	Energy		4.6-1
	4.6.1	Environmental Setting	4.6-1
	4.6.2	Significance Thresholds	4.6-5
	4.6.3	Impact Analysis	4.6-6
	4.6.4	Cumulative Impacts	4.6-7
	4.6.5	References	4.6-8
4.7	Geology and Soils		4.7-1
	4.7.1	Environmental Setting	4.7-1
	4.7.2	Significance Thresholds	4.7-8
	4.7.3	Impact Analysis	4.7-9
	4.7.4	Cumulative Impacts	4.7-12
	4.7.5	References	4.7-13
4.8	Greenhouse Gas Emissions		4.8-1
	4.8.1	Environmental Setting	4.8-1
	4.8.2	Significance Thresholds	4.8-11
	4.8.3	Impact Analysis	4.8-11
	4.8.4	Cumulative Impacts	4.8-13
	4.8.5	References	4.8-13
4.9	Hazards and Hazardous Materials		4.9-1
	4.9.1	Environmental Setting	4.9-1
	4.9.2	Significance Thresholds	4.9-8
	4.9.3	Impact Analysis	4.9-8
	4.9.4	Cumulative Impacts	4.9-13
	4.9.5	References	4.9-13

TABLE OF CONTENTS (cont.)

Section **Page**

4.10 Hydrology and Water Quality 4.10-1
4.10.1 Environmental Setting 4.10-1
4.10.2 Significance Thresholds 4.10-7
4.10.3 Impact Analysis 4.10-7
4.10.4 Cumulative Impacts 4.10-12
4.10.5 References 4.10-13
4.11 Land Use and Planning 4.11-1
4.11.1 Environmental Setting 4.11-1
4.11.2 Significance Thresholds 4.11-8
4.11.3 Impact Analysis 4.11-8
4.11.4 Cumulative Impacts 4.11-9
4.11.5 References 4.11-10
4.12 Mineral Resources 4.12-1
4.12.1 Environmental Setting 4.12-1
4.12.2 Significance Thresholds 4.12-4
4.12.3 Impact Analysis 4.12-4
4.12.4 Cumulative Impacts 4.12-5
4.12.5 References 4.12-5
4.13 Noise 4.13-1
4.13.1 Environmental Setting 4.13-1
4.13.2 Significance Thresholds 4.13-5
4.13.3 Impact Analysis 4.13-5
4.13.4 Cumulative Impacts 4.13-7
4.13.5 References 4.13-8
4.14 Population and Housing 4.14-1
4.14.1 Environmental Setting 4.14-1
4.14.2 Significance Thresholds 4.14-10
4.14.3 Impact Analysis 4.14-11
4.14.4 Cumulative Impacts 4.14-12
4.14.5 References 4.14-12
4.15 Public Services 4.15-1
4.15.1 Environmental Setting 4.15-1
4.15.2 Significance Thresholds 4.15-5
4.15.3 Impact Analysis 4.15-5
4.15.4 Cumulative Impacts 4.15-7
4.15.5 References 4.15-7
4.16 Recreation 4.16-1
4.16.1 Environmental Setting 4.16-1
4.16.2 Significance Thresholds 4.16-5
4.16.3 Impact Analysis 4.16-5
4.16.4 Cumulative Impacts 4.16-6
4.16.5 References 4.16-7

TABLE OF CONTENTS (cont.)

Section			Page
4.17	Transportation		4.17-1
	4.17.1	Environmental Setting	4.17-1
	4.17.2	Significance Thresholds	4.17-7
	4.17.3	Impact Analysis	4.17-8
	4.17.4	Cumulative Impacts	4.17-11
	4.17.5	References	4.17-12
4.18	Tribal and Cultural Resources		4.18-1
	4.18.1	Environmental Setting	4.18-1
	4.18.2	Significance Thresholds	4.18-5
	4.18.3	Impact Analysis	4.18-5
	4.18.4	Cumulative Impacts	4.18-6
	4.18.5	References	4.18-7
4.19	Utilities		4.19-1
	4.19.1	Environmental Setting	4.19-1
	4.19.2	Significance Thresholds	4.19-7
	4.19.3	Impact Analysis	4.19-8
	4.19.4	Cumulative Impacts	4.19-10
	4.19.5	References	4.19-11
4.20	Wildfire		4.20-1
	4.20.1	Environmental Setting	4.20-1
	4.20.2	Significance Thresholds	4.20-5
	4.20.3	Impact Analysis	4.20-5
	4.20.4	Cumulative Impacts	4.20-7
	4.20.5	References	4.20-8

TABLE OF CONTENTS (cont.)

Section **Page**

5.0 PROJECT ALTERNATIVES 5-1
5.1 Rationale for Alternative Selection 5-1
5.2 Project Objectives and Significant Impacts 5-2
5.3 Alternatives Considered but Rejected as Infeasible 5-2
5.4 Alternatives Analysis 5-3
5.4.1 No Project Alternative: No Development 5-4
5.4.2 Restricted Height Development Alternative 5-4
5.4.3 Medium Development Alternative 5-4
5.4.4 Low Development Alternative 5-5
5.4.5 Assumptions and Methodology 5-5
5.5 Comparative Impact Analysis 5-6
5.5.1 No Project Alternative: No Development 5-6
5.5.2 Restricted Height Development Alternative 5-13
5.5.3 Medium Development Alternative 5-19
5.5.4 Low Development Alternative 5-26
5.6 Environmentally Superior Alternative 5-32
5.7 References 5-33

6.0 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES 6-1
6.1 Land Use Changes that Commit Future Generations 6-1
6.2 Irreversible Damage from Environmental Accidents 6-1
6.3 Large Commitment of Non-Renewable Resources 6-1

7.0 GROWTH INDUCEMENT 7-1
7.1 Land Use Changes that Commit Future Generations 7-1
7.1.1 Additional Housing Growth 7-1
7.1.2 Additional Economic Growth 7-2

8.0 SIGNIFICANT UNAVOIDABLE IMPACTS 8-1
8.1 Background 8-1
8.2 Project Significant and Unavoidable Impacts 8-1

9.0 LIST OF PREPARERS 9-1

TABLE OF CONTENTS (cont.)

LIST OF TABLES

No.	Title	Page
4-1	City of Bishop Cumulative Projects List	4-4
4.3-1	Summary of Common Sources and Human Health Effects of Criteria Air Pollutants	4.3-2
4.3-2	Ambient Air Quality Standards	4.3-4
4.3-3	Great Basin Valleys Air Basin Attainment Status	4.3-5
4.3-4	Air Quality Monitoring Data	4.3-8
4.3-5	Construction Equipment Assumptions	4.3-10
4.3-6	Air Pollutant Significance Thresholds	4.3-11
4.3-7	Construction Criteria Pollutant and Precursor Emissions	4.3-12
4.3-8	Operational Criteria Pollutant and Precursor Emissions	4.3-13
4.3-11	Mitigated Maximum Daily Construction Emissions	4.3-16
4.3-12	Operational Emissions	4.3-17
4.6-1	Construction Energy Use	4.6-6
4.6-2	Operational Net Energy Use	4.6-6
4.8-1	Global Warming Potentials and Atmospheric Lifetimes	4.8-3
4.8-2	California Greenhouse Gas Emissions by Sector	4.8-8
4.8-3	Construction GHG Emissions	4.8-11
4.8-4	Operational GHG Emissions	4.8-12
4.8-5	2023 Net GHG Emissions	4.8-13
4.9-1	Distance of Schools from Proposed Project	4.9-10
4.14-1	Regional Housing Needs (2019-2029)	4.14-2
4.14-2	Bishop and Inyo County Population Growth Trends (2010-2020)	4.14-6
4.14-3	Bishop Housing Units by Type	4.14-7
4.14-4	Occupancy Status (2021)	4.14-8
4.14-5	Age of Bishop Housing Stock	4.14-8
4.14-6	Bishop Population and Housing Trends (1970-2020)	4.14-9
4.14-7	Employment by Sector and Industry	4.14-10
4.15-1	Schools in Bishop Unified School District	4.15-4
5-1	Comparison of Project Alternatives	5-6

LIST OF APPENDICES

A Figures
B Notice of Preparation and Scoping Report
C Mitigation Monitoring and Reporting Program
D Air Quality, Energy, and Greenhouse Gas CalEEmod Calculations
E Biological Resources Database Search Results

ACRONYMS AND ABBREVIATIONS

AAQS	ambient air quality standards
AB	Assembly Bill
ABAG	Association of Bay Area Governments
ACHP	Advisory Council on Historic Preservation
ADA	Americans with Disabilities Act
ADT	Average Daily Traffic
ADU	Accessory Dwelling Unit
AES	Aesthetics
AG	Agriculture and Forest Resources
ALUC	Airport Land Use Commission
AMP	Agricultural Management Plan
APE	Area of Potential Effect
APN	Accessors Parcel Number
APS	Alternative Planning Strategy
AQ	Air Quality
AR4	Fourth Assessment Report
ARPA	Archaeological Resources Protection Act
ASTM	American Society for Testing and Materials
ATV	All-terrain Vehicle
Basin	Great Basin Valleys Air Basin
BAWA	Bishop Area Wastewater Authority
BERD	Built Environment Resources Directory
BIO	Biological Resources
BLM	Bureau of Land Management
BMP	Best Management Practice
BTU	British Thermal Units
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAFE	Corporate Average Fuel Economy
CALGreen	California Green Building Standards Code
CalEEMod	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
CAL FIRE	California Department of Forestry and Fire Protection
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation
CALUP	Comprehensive Airport Land Use Plan
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CBSC	California Building Standards Code
CESA	California Endangered Species Act
CBC	California Building Code
CCR	California Code of Regulations

ACRONYMS AND ABBREVIATIONS (cont.)

CDC	California Department of Conservation
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CF	Capacity Factor
CFC	California Fire Code
CFR	Code of Federal Regulations
CGS	California Geological Survey
CHP	California Highway Patrol
CH_4	Methane
CNDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CO	Carbon monoxide
CO_2	Carbon Dioxide
CO_2e	Carbon Dioxide Equivalent
City	City of Bishop
CNPS	California Native Plant Society
CLUP	Comprehensive Land Use Plan
CRHR	California Register of Historical Resources
CRPR	California Rare Plant Rank
CTC	California Transportation Commission
CUPA	Certified Unified Program Agency
CWA	Clean Water Act
CWPP	Community Wildfire Protection Plan
CUL	Cultural Resources
dB	decibel
dBA	decibel with A-weighting
DPM	diesel particulate matter
DTSC	Department of Toxic Substances Control
EHSD	Environmental Health Services Department
EIR	Environmental Impact Report
ENE	Energy
EO	Executive Order
EOP	Emergency Operations Plan
ESA	Environmentally Sensitive Area
ESCSD	Eastern Sierra Community Services District
ESTA	Eastern Sierra Transit Authority
°F	Fahrenheit
FAR	floor-area-ratio
FEMA	Federal Emergency Management Agency

ACRONYMS AND ABBREVIATIONS (cont.)

FESA	Federal Endangered Species Act of 1973
FHSZ	Fire Hazard Severity Zone
FIRE	Wildfire
FLPMA	Federal Land Policy and Management Act
FPPA	Farmland Protection Policy Act
FRA	Federal Responsibility Area
FTA	Federal Transit Administration
GBUAPCD	Great Basin Unified Air Pollution Control District
GEO	Geology and Soils
GHG	Greenhouse Gas Emissions
GSP	Groundwater Sustainability Plan
GWh	gigawatt hours
GWP	global warming potential
HAZ	Hazards and Hazardous Materials
HCD	Housing and Community Development
HCP	Habitat Conservation Plan
HFC	Hydrofluorocarbon
HMAP	Hazardous Materials Area Plan
HMBEP	Hazardous Materials Business Emergency Plan
HYD	Hydrology and Water Quality
IBC	International Building Code
ICIWMD	Inyo County Integrated Waste Management Department
ICS	Incident Command System
IPCC	United Nations Intergovernmental Panel on Climate Change
IMACA	Inyo Mono Advocates for Community Action
kWh	kilowatt-hours
LADWP	City of Los Angeles Department of Water and Power
LCFS	Low Carbon Fuel Standard
LID	Low Impact Development
LOS	Level of Service
LRA	Local Responsibility Area
LRMP	Inyo National Forest Land and Resource Management Plan
LUP	Land Use and Planning
LUST	Leaking Underground Storage Tank
MBTA	Migratory Bird Treaty Act
MBtu	million British Thermal Unit
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District

ACRONYMS AND ABBREVIATIONS (cont.)

MGD	Million gallons per day
MIN	Mineral Resources
MLD	Most Likely Descendant
MMRP	Mitigation Monitoring and Reporting Program
MMT	million metric tons
MND	Mitigated Negative Declaration
mPa	micro-Pascals
mpg	miles per gallon
MPO	Metropolitan Planning Organization
MRZ	Mineral Resource Zone
MTC	Metropolitan Transportation Commission
MUO	Mixed-Use Overlay
MW	Megawatt
MWh	Megawatt hour
NAAQS	National Ambient Air Quality Standards
NAGP	Native American Graves Protection and Repatriation Act
NAHC	Native American Heritage Commission
NASA	National Aeronautics and Space Administration
NCCP	Natural Community Conservation Plan
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NHTSA	National Highway Traffic Safety Administration
NIMS	National Incident Management System
NO_2	Nitrogen dioxide
NOA	Notice of Availability
NOAA	National Oceanic and Atmospheric Administration
NOC	Notice of Completion
NOD	Notice of Determination
NOI	Notice of Intent
NOP	Notice of Preparation
NO_x	Nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
NSLU	Noise-sensitive land use
O_3	Ozone
OEHHA	Office of Environmental Health Hazard Assessment
OHP	California Office of Historic Preservation
OHV	Off-Highway Vehicle
OHWM	Ordinary High-Water Mark
OPR	Office of Planning and Research
OSHA	The California Division of Occupational Safety and Health

ACRONYMS AND ABBREVIATIONS (cont.)

OVLMP	Owens Valley Land Management Plan
Pb	Lead
PBC	Priority Bike Corridors
PCC	Prior converted cropland
PFC	Perfluorocarbon
Plan	Downtown Specific Plan
PM	Particulate Matter
PM_{10}	Coarse PM, 10 micrometers or less in diameter
$PM_{2.5}$	Fine PM, 2.5 micrometers or less in diameter
POP	Population and Housing
PPB	Parts Per Billion
PPC	Priority Pedestrian Corridor
PPM	Parts Per Million
PPV	peak particle velocity
PRC	Public Resources Code
PS	Public Services
RCRA	Resource Conservation and Recovery Act
REC	Recreation
RHNA	Regional Housing Needs Allocation
ROG	reactive organic gas
ROW	Right-of-Way
RPS	Renewables Portfolio Standard
RRFB	Rectangular Rapid Flashing Beacons
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SAFE	Safer Affordable Fuel-Efficient
SAR	IPCC Second Assessment Report
SARA	Superfund Amendments and Reauthorization Act
SB	Senate Bill
SCE	Southern California Edison
SCS	Sustainable Communities Strategy
SEMS	Standardized Emergency Management System
SIP	State Implementation Plan
SO_2	Sulfur dioxide
SF_6	Sulfur Hexafluoride
SGMA	Sustainable Groundwater Management Act
SLF	Sacred Lands File
SHPO	State Historic Preservation Offices/Officer
SMARA	Surface Mining and Reclamation Act of 1975
SPL	sound pressure level
SR	State Route

ACRONYMS AND ABBREVIATIONS (cont.)

SRA	State Responsibility Area
SSC	Species of Special Concern
STIP	State Transportation Improvement Program
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminant
TCR	Tribal Cultural Resource
TCP	Traditional Cultural Property
TMDL	Total Maximum Daily Load
TRA	Transportation
USACE	United States Army Corps of Engineers
UBC	Uniform Building Code
USEPA	U.S. Environmental Protection Agency
UTL	Utilities and Service Systems
UNFCCC	United Nations Framework Convention on Climate Change
USFS	U.S. Forest Services
USFWS	U.S. Fish and Wildlife Service
VCP	Vitrified Clay Pipe
VdB	velocity decibels
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	vehicle miles traveled
VOC	volatile organic compounds
WUI	Wildland-Urban Interface
WWTP	Wastewater Treatment Plant
WQC	State of California Water Quality Certification
ZEV	Zero Emissions Vehicle

EXECUTIVE SUMMARY

ES.1 INTRODUCTION

This summary presents an overview of the proposed Downtown Bishop Specific Plan and Mixed-Use Overlay, herein referred to as "project" or "proposed project". This section also summarizes the alternatives to the proposed project; and identifies issues to be resolved, areas of controversy, and conclusions of the analysis contained in Sections 4.1 through 4.20 of this Draft Environmental Impact Report (Draft EIR). For a complete description of the proposed project, please see Section 3.0, Project Description, of this Draft EIR. For a complete discussion of Project Alternatives, please see Section 5.0, Project Alternatives.

This Draft EIR addresses the environmental effects associated with the project. The California Environmental Quality Act (CEQA) requires that local government agencies, prior to taking action on projects over which they have discretionary approval authority, consider environmental impacts of such projects. An EIR is a public document designed to provide the public, local, and State governmental agency decision-makers with an analysis of a project's potential environmental impacts to support informed decision-making.

This Draft EIR has been prepared pursuant to the requirements of CEQA and the CEQA Guidelines to determine if project approval could have a significant impact on the environment. The City of Bishop (City) as the Lead Agency, has reviewed and revised as necessary submitted drafts, technical studies, and reports to reflect its own independent judgment, including reliance on applicable City technical personnel and review of all technical reports. Information for this Draft EIR was obtained from on-site field observations; discussions with affected agencies; analysis of adopted plans and policies; review of available studies, reports, data, and similar literature in the public domain; and specialized environmental assessments (e.g., air quality, biological resources, cultural resources, greenhouse gas emissions, hydrology, noise, transportation, and water supply).

ES.2 ENVIRONMENTAL PROCEDURES

This Draft EIR has been prepared to assess the environmental effects associated with implementation of the proposed project, as well as anticipated future discretionary actions and approvals. The main objectives of this document as established by CEQA Section 15002(a) are to:

- Inform governmental decision-makers and the public about the potential, significant environmental effects of proposed activities.
- Identify the ways that environmental damage can be avoided or significantly reduced.
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
- Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

An EIR is the most comprehensive form of environmental documentation identified in the CEQA statute and in the CEQA Guidelines. It provides the information needed to assess the environmental consequences of a proposed project, to the extent feasible. EIRs are intended to provide an objective, factually supported, full-disclosure analysis of the environmental consequences associated with a proposed project that has the potential to result in significant, adverse environmental impacts. An EIR is also one of various decision-making tools used by a Lead Agency to consider the merits and disadvantages of a project that is subject to its discretionary authority. Prior to approving a proposed project, the Lead Agency must consider the information contained in the EIR, determine whether the EIR was properly prepared in accordance with the CEQA Guidelines, determine that it reflects the independent judgment of the Lead Agency, adopt findings concerning the project's significant environmental impacts, if any, and alternatives, and adopt a Statement of Overriding Considerations if the proposed project would result in significant impacts that cannot be avoided.

ES.3 EIR FORMAT

This Draft EIR is organized into the following chapters:

- **Executive Summary:** Consistent with Section 15123 of the CEQA Guidelines, this section provides a brief summary of the proposed project and identifies environmental impacts and mitigation measures in a summary matrix.

- **Section 1.0 – Introduction:** This section presents an overview of the overall project background, describes the intended use of the EIR (CEQA Guidelines Section 15124(d)), as well as the environmental review process.

- **Section 2.0 – Project Setting and Location:** This section includes a description of the physical environmental conditions in the vicinity of the project site as they existed at the time the NOP was published, and which have been updated based on current conditions during preparation of this EIR, consistent with Section 15125 of the CEQA Guidelines.

- **Section 3.0 – Project Description:** This section provides a detailed description of the proposed project characteristics and objectives as well as the required discretionary approvals consistent with Section 15124 of the CEQA Guidelines.

- **Section 4.0 – Environmental Impact Analysis:** This section contains a comprehensive analysis of impacts to each environmental factor evaluated in this EIR, the appropriate, feasible measures to minimize or mitigate those impacts consistent with Section 15126.4 of the CEQA Guidelines, and evaluates cumulative impacts resulting from the combination of the proposed project together with other projects causing related impacts consistent with Section 15130 of the CEQA Guidelines.

- **Section 5.0 – Project Alternatives:** Consistent with Section 15126.6 of the CEQA Guidelines, this section evaluates a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. Alternatives other than the proposed project evaluated in this document include: (1) the No Project Alternative in which the proposed project would not be implemented; (2) the Restricted Height Development

Alternative; (3) the Medium Development Alternative; and, (4) the Low Development Alternative.

- **Section 6.0 – Significant Irreversible Environmental Changes:** Consistent with Section 15126.2(d) of the CEQA Guidelines, this section outlines the significant irreversible changes anticipated to occur as a result of the project.

- **Section 7.0 – Growth Inducement:** Consistent with Section 15126.2(e) of the CEQA Guidelines, this section describes potential growth-inducing impacts associated with the proposed project.

- **Section 8.0 – Significant and Unavoidable Impacts:** Consistent with Section 15126.2(c) of the CEQA Guidelines, this section describes any significant impacts identified, including those which can be mitigated but not reduced to a level of insignificance.

- **Section 9.0 – List of Preparers:** This section lists all authors and agencies that assisted in the preparation of the report by name, title, and company or agency affiliation.

ES.4 TYPE AND PURPOSE OF THIS EIR

This Draft EIR has been prepared in accordance with the CEQA Guidelines and the City of Bishop as the CEQA Lead Agency for the proposed project. This Draft EIR assesses potential environmental consequences of implementing the proposed project and identifies mitigation measures and alternatives to the proposed project that would avoid or reduce significant impacts where necessary. This Draft EIR is intended to inform the City's decision-makers, responsible and trustee agencies, and the public-at-large as to the nature of the proposed project and its potential effect on the environment.

ES.5 PROJECT LOCATION

The proposed project is located in the City of Bishop which is the only incorporated city within Inyo County and located west of the White Mountains, south of Carson City, and north of Ridgecrest. The proposed project area is located within Sections 6 and 7 of Township 07 South, Range 33 East and the "Bishop" USGS 7.5-minute quadrangle. The proposed project area consists of two parts: the Downtown Specific Plan and the Mixed-Use Overlay Zone. Figure 2.2-1 shows the boundaries of the Specific Plan and Mixed-Use Overlay Zone. The Mixed-Use Overlay Zone covers an area of downtown Bishop totaling approximately 94.5 acres and 266 parcels. The Downtown Bishop Specific Plan, not including the area covered by the Mixed-Use Overlay Zone, covers an area of approximately 207.9 acres and 426 parcels.

ES.6 PROJECT SUMMARY

The proposed project was created through a collaborative process which included City officials and staff, stakeholders, and residents. The Plan and Overlay establish development regulations, building and signage design guidelines, mobility recommendations, and implementation strategies.

The principle objectives of the proposed project are listed below. A detailed description of the project including figures is included in Section 3.0, Project Description:

- Growth Management and Housing:

- Allow for and encourage a broader mix of uses in downtown, while respecting the existing surroundings, scenery, and views.
- Establish clear, quantitative standards to ensure that future development that occurs within downtown is consistent with the community's vision.
- Maximize opportunities for higher-density and increased housing opportunities in the downtown area.

- Mobility Enhancements:
  - Create a pedestrian-friendly environment to direct residents and visitors to downtown businesses.
  - Accommodate alternative transportation modes (e.g., pedestrian, bicycle) to reduce downtown congestion.

- Downtown Character:
  - Enhance the visual and aesthetic appeal of the downtown.
  - Assure that new construction, restoration, and rehabilitation projects are compatible with the character of downtown.

ES.7 SUMMARY OF ALTERNATIVES TO THE PROJECT

ES.7.1 No Project Alternative

This alternative is required under Section 15126.6(e) of the CEQA Guidelines and represents a possible scenario that could occur if the proposed project is not approved. Under the No Project Alternative, the Downtown Bishop Specific Plan and Mixed-Use Overlay Zone would not be implemented, and it is assumed that residential development in the City of Bishop would continue at its current rate. Therefore, under the No Project Alternative, it is assumed that approximately 24 housing units would be developed in the City of Bishop over the next 20 year, providing housing for approximately 54 people.

ES.7.2 Restricted Height Development Alternative

The Restricted Height Development Alternative considers a high development scenario that restricts allowable building height to two stories. This alternative assumes that 25 percent of all parcels within the Specific Plan Area would be developed to include two additional units on each of those parcels, totaling 346 new dwelling units to be added during the 20 years following selection and implementation of the alternative. The Mixed-Use Overlay Zone would not be implemented as part of this alternative as it would allow for less restrictive height requirements. Therefore, the total number of additional units that may be developed under this alternative is 346, providing housing for approximately 779 people.

ES.7.3 Medium Development Alternative

Under the Medium Development Alternative, it is assumed that 15 percent of all parcels within the Specific Plan Area (not including the area that also falls within the Mixed-Use Overlay Zone) would be

developed to include two additional units per parcel, and 25 percent of all parcels within the Mixed-Use Overlay Zone could be developed with an additional two residential units per parcel. This alternative represents an estimate of the total dwelling unit count if a medium level of development were to occur within the project area in the 20 years following selection and implementation. Under this alternative, a total of 128 new dwelling units would be added to the Specific Plan Area, and 133 new dwelling units would be added to the Mixed-Use Overlay Zone, providing housing for a total of approximately 588 people.

ES 7.4 Low Development Alternative

Under the Low Development Alternative, it is assumed that 5 percent of all parcels within the Specific Plan Area (not including the area that also falls within the Mixed-Use Overlay Zone) would be developed to include two additional units on each of those parcels, and 15 percent of all parcels within the Mixed-Use Overlay Zone could be developed with an additional two residential units per parcel. This alternative represents an estimate of the total dwelling unit count if a low level of development were to occur within the project area in the 20 years following selection and implementation. Under this alternative, a total of 43 new dwelling units would be added to the Specific Plan Area, and 80 new dwelling units would be added to the Mixed-Use Overlay Zone, providing housing for a total of approximately 277 people.

ES 7.5 Assumptions and Methodology

The alternatives analysis compares the impacts of the alternatives to the proposed project. The No Project Alternative assumes that residential development in the City of Bishop would continue at its current rate and that approximately 24 housing units would be developed over the next 20 years. The Restricted Height Development Alternative is similar to the proposed project, but the alternative would restrict the allowable height of buildings to just two stories and provide 346 dwelling units. The Medium Development Alternative is similar to the proposed project, but the alternative would represent moderate development activity with a moderate number of applications processed and provide 261 dwelling units. The Low Development Alternative is similar to the proposed project, but the alternative would represent moderate development activity with a moderate number of applications processed and provide 123 dwelling units. A detailed and complete comparative impact analysis of proposed project alternatives can be found in Section 5.0 of the Draft EIR.

ES.8 ISSUES TO BE RESOLVED

Section 15123(b)(3) of the CEQA Guidelines require that an EIR Identify issues to be resolved, including the choice among alternatives and whether or how to mitigate significant impacts. With regard to the proposed project, the major issues to be resolved include decisions by the City of Bishop, as Lead Agency, related to:

- Whether this Draft EIR adequately describes the environmental impacts of the proposed project.
- Whether the project is compatible with the character of the existing area.
- Whether the identified mitigation measures should be adopted or modified.
- Whether there are other mitigation measures that should be applied to the proposed project besides those identified in the Draft EIR.

- Whether there are any alternatives to the proposed project that would substantially lessen any of the significant impacts of the proposed project and achieve most of the basic objectives.

ES.9 AREAS OF CONTROVERSY

The City of Bishop issued a Notice of Preparation (NOP) for the Draft EIR on May 17, 2021 and held a virtual public scoping meeting on Thursday, May 20, 2021 to receive agency and public comments. The scoping period for this Draft EIR started on May 17, 2021 and ended on June 15, 2021, during which time responsible and trustee agencies, as well as interested members of the public were invited to submit comments regarding scope of the EIR.

To the extent that these issues have environmental impacts and to the extent that analysis is required under CEQA, they are addressed in Sections 4.0 through 8.0 of this Draft EIR.

ES.10 SIGNIFICANT IMPACTS AND MITIGATION MEASURES

Under CEQA, a significant impact on the environment is defined as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the proposed project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance.

The proposed project has the potential to generate significant environmental impacts in a few areas. Table ES-1 summarizes the conclusions of the environmental analysis contained in this Draft EIR and presents a summary of impacts and mitigation measures identified. It is organized to correspond with the environmental issues discussed in Sections 4.1 through 4.20. The table is arranged in four columns: 1) environmental impacts, 2) significance prior to mitigation, 3) mitigation measures, and 4) significance after mitigation. For a complete description of potential impacts, please refer to the specific discussions in Sections 4.1 through 4.20.

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
Aesthetics			
AES-1: The proposed project would have a substantial adverse effect on a scenic vista.	Significant and unavoidable	No feasible mitigation measures have been identified to reduce the potential impact to a less than significant level.	N/A
AES-2: The proposed project would substantially damage scenic resources such as trees, rock outcroppings, and historic buildings within a State Scenic Highway.	Significant and unavoidable	No feasible mitigation measures have been identified to reduce the potential impact to a less than significant level.	N/A
AES-3: The proposed project would substantially degrade the existing visual character or quality of public views of the Plan area and its surroundings in an urbanized area.	Significant and unavoidable	No feasible mitigation measures have been identified to reduce the potential impact to a less than significant level.	N/A
AES-4: The proposed project would create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.	Significant and unavoidable	No feasible mitigation measures have been identified to reduce the potential impact to a less than significant level.	N/A
AES-5: The proposed project would result in a significant cumulative impact with respect to aesthetics.	Significant and unavoidable	No feasible mitigation measures have been identified to reduce the potential impact to a less than significant level.	N/A
Agriculture and Forestry Resources			
AG-1: The proposed project would not convert Important Farmland to nonagricultural use; conflict with existing zoning for agricultural use or with a Williamson Act contract; conflict with existing zoning of forest land, timberland, or timberland zoned Timberland Production; result in the loss of farmland to nonagricultural use or conversion of forest land to non-forest use.	No impact	N/A	N/A

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
AG-2: The proposed project would not convert Important Farmland to nonagricultural use.	No impact	N/A	N/A
AG-3: The proposed project would not conflict with existing zoning for agricultural use or with a Williamson Act contract.	No impact	N/A	N/A
AG-4: The proposed project would not conflict with existing zoning of forest land, timberland, or timberland zoned Timberland Production.	No impact	N/A	N/A
AG-5: The proposed project would not result in the loss of farmland to nonagricultural use or conversion of forest land to non-forest use.	No impact	N/A	N/A
AG-6: The proposed project would not result in a significant cumulative impact with respect to agriculture and forestry resources.	No impact	N/A	N/A
Air Quality			
AQ-1: The proposed project would not conflict with or obstruct implementation of the applicable air quality plan.	Less than significant	N/A	N/A
AQ-2: The proposed project would not 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.	Less than significant	N/A	N/A
AQ-3: The proposed project would not expose sensitive receptors to substantial pollutant concentrations.	Less than significant	N/A	N/A
AQ-4: The proposed project would not result in substantial emissions of odors adversely affecting a substantial number of people.	Less than significant	N/A	N/A

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
AQ-5: The proposed project would not contribute to a cumulatively considerable impact on regional air quality.	Less than significant	N/A	N/A
Biological Resources			
BIO-1: The proposed project may result in a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS).	Potentially significant	BIO-1: Special-Status Plant Surveys. Floristically appropriate botanical surveys shall be conducted to determine the presence or absence of special-status plant species on any undeveloped parcel or parcel with wetlands (especially alkali meadow), aquatic resources, or native or naturalized vegetation within the project area prior to commencement of construction. The surveys shall be floristic in nature and shall be seasonally timed to coincide with the blooming period of regionally occurring special-status plant species (generally March through August, with a peak in April, May, and June). Surveys shall be conducted to determine the status of these species in the project parcels. For the undeveloped parcels in the northeast corner of the project area where Owens Valley checkerbloom was previously identified and the parcel(s) in the southwest corner of the project area adjacent to reported occurrences of Owens Valley checkerbloom, focused botanical surveys shall be conducted at least two times between May and July spaced at least 4 weeks apart. If special-status plants are not found during the focused surveys, then no further action is required. • If special-status plants are documented on the parcel, a report shall be submitted to the California National Diversity Database (CNDDB) to document the status of the species on the parcel. If the project is designed to avoid impacts to special-status plant individuals and habitat, no further mitigation for these species would be necessary. • If special-status plants are documented on the parcel and project impacts to these species are anticipated, consultation with CDFW shall be conducted to develop a mitigation	Less than significant

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		strategy. The proponent shall notify CDFW, providing a complete description of the location, size, and condition of the occurrence, and the extent of proposed direct and indirect impacts to it. The project proponent shall comply with any mitigation requirements imposed by CDFW. Mitigation requirements could include but are not limited to, development of a plan to relocate the special-status plants (seed) to a suitable location outside of the impact area and monitoring the relocated population to demonstrate transplant success or preservation of this species or its habitat at an on or offsite location. BIO-2: Special-Status Fish Avoidance Measures. The following mitigation shall be implemented for these special-status fish species: *Measures to Reduce Impacts to Water Quality* • Activities conducted in or immediately adjacent to drainage ditches and creeks shall be limited to the winter months (generally November – March) when flows are lowest. • All disturbed soils shall undergo erosion control treatment prior to October 15 and/ or immediately after construction is terminated. Erosion control blankets shall be installed on any disturbed soils on a 2:1 slope or steeper. • Standard construction Best Management Practices (BMPs) shall be implemented throughout construction to avoid and minimize adverse effects to water quality within South Fork Bishop Creek, China Slough, and ditches in and adjacent to the project area. Appropriate erosion control measures shall be used (e.g., hay bales, filter fences, vegetative buffer strips or other accepted equivalents) to reduce siltation and contaminated runoff from the project area. The integrity and	

		effectiveness of the BMPs shall be inspected daily. Corrective actions and repairs shall be carried out immediately. • No construction shall occur within the wetted portion of waterways, including access by construction equipment or personnel. If work in the wetted portion of waterways is unavoidable, the work area shall be dewatered and the flow diverted around the work area. The flow shall be diverted only once the construction of the diversion is completed. • Construction activities and ground disturbance within the waterways in the project area shall be confined to the minimal area necessary to facilitate construction activities. To ensure that construction equipment and personnel do not affect sensitive aquatic habitat in South Fork Bishop Creek, China Slough, and ditches up and downstream of the project area, orange barrier fencing shall be erected to clearly define the habitat to be avoided. This shall delineate the Environmentally Sensitive Area (ESA) on the project. The integrity and effectiveness of ESA fencing shall be inspected daily. Corrective actions and repairs shall be carried out immediately for fence breaches. • Construction by-products and pollutants such as petroleum products, chemicals, or other deleterious materials shall not be allowed to enter streams or other waters. A plan for the emergency clean-up of any spills of fuel or other materials shall be available when construction equipment is in use. • Construction vehicles and equipment shall be maintained to prevent contamination of soil or water from external grease and oil or from leaking hydraulic fluid, fuel, oil, and grease. Leaking vehicles and equipment shall be removed from the area. • Equipment shall be re-fueled, washed, and serviced at the designated construction staging area or off-site. All construction and fill materials shall be stored and contained	

		in a designated area that is located away from South Fork Bishop Creek, China Slough, and connected ditches to prevent transport of materials into these waterways. Equipment maintenance and storage, and materials storage shall be 100 feet or more away from waterways. In addition, a silt fence shall be installed around the staging and materials storage areas to collect any discharge, and adequate materials should be available for spill clean-up and during storm events • No litter, debris, or sidecast shall be dumped or permitted to enter South Fork Bishop Creek, China Slough, and the active ditches. Trash and debris shall be removed from the work site regularly. Following construction, all trash and construction debris shall be removed from work areas. • Building materials storage areas containing hazardous or potentially toxic materials such as herbicides and petroleum products shall be located outside of the 100-year flood zone, have an impermeable membrane between the ground and the hazardous material, and shall be bermed to prevent the discharge of pollutants to ground water and runoff water. • Worker education and awareness training regarding sensitive habitats (e.g., aquatic and riparian habitats) and special-status species shall be conducted for all construction personnel. The contractor will ensure that all new personnel shall receive the mandatory training before starting work. *Fish Salvage Measures* • If dewatering is required, the contractor shall prepare a dewatering plan that complies with all applicable permit conditions. Water diversion activities shall be conducted under the supervision of a qualified biologist. The biologist shall survey the area to be dewatered immediately after installation of the dewatering device and prior to the continuation of dewatering activities. The approved biologist	

		shall use a net to capture trapped fish present in the area to be dewatered. Captured native organisms shall be released into the creek/ditch up or downstream of the construction zone. • If dewatering the work area in the creek is necessary, and it would be dewatered by pumping, intakes shall be completely screened with wire mesh not larger than five millimeters to prevent fish from entering the pump system. Water shall be released or pumped downstream at an appropriate rate to maintain downstream flows during construction. Upon completion of construction activities, any barriers to flow shall be removed in a manner that would allow flow to resume with the least disturbance to the soil substrate. BIO-3: Swainson's Hawk Surveys. Pre-construction surveys shall be conducted to determine if there are nesting Swainson's hawk in or within 0.5-mile of any undeveloped parcel prior to construction. The purpose of the survey requirement is to ensure that construction activities do not agitate nesting hawks, potentially resulting in nest abandonment or other harm to nesting success. Prior to initiation of construction activities during the Swainson's hawk breeding season (March 1 through September 15), the applicant shall determine the presence of active Swainson's hawk nests in and within 0.5 mile of any undeveloped parcels using the most recent published survey protocols (i.e., three surveys by a qualified biologist in each of the two periods preceding the construction start date; SHTAC 2000). If an active Swainson's hawk nest is discovered, the applicant shall initiate consultation with CDFW to determine what measures need to be implemented in order to ensure that nesting hawks remain undisturbed. The measures selected would depend on many variables, including the distance of activities from the nest, the types of activities, and whether the landform between the nest and activities provides any kind of natural screening. If no active nests are discovered, no further action is required.	

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		BIO-4: Special-Status Bat Surveys. If trees are to be removed on any undeveloped parcels within the project area, or any vacant/abandoned buildings or structures suitable for bats are to be removed, they should be removed during periods of seasonal bat activity. Tree removal should occur during late fall, winter, or early spring when maternal roost areas are generally naturally empty. This approach avoids periods when young and newly born bats are typically present. Prior to tree removal on undeveloped parcels or demolition of any vacant/abandoned buildings or structures suitable for bats, a qualified biologist shall conduct a clearance survey for bat species within 14 days prior. If no bats or sign of bats are observed, then a letter report shall be prepared to document the survey and provided to the project proponent and no additional measures are necessary. If removal does not commence within 14 days of the clearance survey, or halts for more than 14 days, an additional survey shall be conducted prior to resuming or starting work. If roosting bats are found, CDFW shall be contacted, and a bat avoidance and relocation plan shall be prepared by a qualified biologist in coordination with CDFW. BIO-5: Owens Valley Vole Surveys. The following mitigation shall be implemented for Owens Valley vole: • Prior to construction at undeveloped parcels containing suitable habitat for Owens Valley vole, small mammal trapping shall be conducted in order to assess the presence/absence of Owens Valley vole. Traps are to be opened only at night for 3 nights and set up along a standard 100 X 100-m grid with traps at 10-m intervals. Large (7.6 X 8.9 X 22.cm) Sherman live-traps shall be used and baited with plain rolled oats and peanut butter. All captured animals are to be identified to species, sexed, measured, marked, and released. Surveys of Owens Valley vole sign (burrowing, feces, grass clippings, grazing, and runways) shall also be used to obtain additional information on Owens Valley vole	

		distribution. Sign that may have been attributable to other small mammal species (i.e. burrows and grazing) shall only be considered if associated with sign distinctly characteristic of Owens Valley vole activity (i.e. runways and feces). Owens Valley vole fecal pellets are readily distinguishable from those of other small mammal species by their large size, crescent shape, and coarse texture. If Owens Valley vole are not found during the focused surveys, then a letter report should be prepared to document the survey, and no additional measures are recommended. • If Owens Valley vole are present on or within 100 feet of the proposed project footprint, then avoidance and mitigation measures, such as relocation, shall be developed in coordination with CDFW. BIO-6: Nesting Bird Surveys. If project activities such as vegetation removal activities commence during the avian breeding season (February 1 through August 31), a qualified biologist shall conduct a pre-construction nesting bird survey no more than 7 days prior to initiation of project activities. The survey area shall include suitable raptor nesting habitat within 500 feet of the boundary of the subject parcel(s) (inaccessible areas outside of the project parcels can be surveyed from the parcel or from public roads using binoculars or spotting scopes). Pre-construction surveys are not required in areas where project activities have been continuous since prior to February 1, as determined by a qualified biologist. Areas that have been inactive for more than 14 days during the avian breeding season must be re-surveyed prior to resumption of project activities. If no active nests are identified, no further mitigation is required. If active nests are identified, the following measure shall be implemented: • A suitable buffer (e.g., 500 feet for Cooper's hawk and white-tailed kite; 300 feet for common raptors; 100 feet for non-raptors) shall be established by a qualified biologist around active nests and no construction activities within the buffer shall be allowed until a qualified biologist has determined	

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		that the nest is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest, or the nest has failed). Encroachment into the buffer may occur at the discretion of a qualified biologist. Any encroachment into the buffer shall be monitored by a qualified biologist to determine whether nesting birds are being impacted.	
BIO-2: The proposed project may result in a substantial adverse effect on a sensitive natural community.	Potentially significant	See Impact BIO-3 for Mitigation Measure BIO-7	Less than significant
BIO-3: The proposed project may result in a substantial adverse effect on State or federally protected wetlands (including, but not limited to marsh, vernal pool, coastal, etc.) or other waters of the U.S. and State through direct removal, filling, hydrological interruption, or other means.	Potentially significant	BIO-7: Jurisdictional Waters and Sensitive Natural Communities. Prior to any impacts to any undeveloped parcels containing aquatic resources in the project area, a formal jurisdictional delineation shall be conducted. The U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and CDFW shall be contacted prior to commencement of any construction activity that would impact jurisdictional waters and permits shall be obtained as required. Impacts to jurisdictional waters shall be mitigated in accordance with agency requirements to ensure no net loss of acreage or value to waters of the U.S. and/or waters of the state. The loss of jurisdictional waters shall be mitigated for at a minimum ratio of 1:1 (i.e., one acre created per one acre impacted) to ensure no net loss of acreage or value to waters of the U.S. and/or waters of the state, except where exempted by regulation. The 1:1 mitigation should be replaced in-kind. This may be accomplished by purchasing credits in a mitigation bank approved by the USACE, RWQCB, and CDFW, or creation/preservation/or enhancement of waters in the project parcels or off-site reserves.	Less than significant
BIO-4: The proposed project would not interfere substantially with the movement of native resident wildlife species or with established native resident or migratory wildlife corridors.	Less than significant	N/A	N/A

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
BIO-5: The proposed project would not conflict with local policies or ordinances protecting biological resources.	Less than significant	N/A	N/A
BIO-6: The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, other approved local, regional, or State habitat conservation plan.	Less than significant	N/A	N/A
BIO-7: The proposed project would not result in a significant cumulative impact with respect to biological resources.	Potentially significant	See Impacts BIO-1 and BIO-3 for Mitigation Measure BIO-1 through BIO-7	Less than significant
Cultural Resources			
CUL-1: The proposed project may cause a substantial change in the significance of a historical resource.	Potentially significant	CUL-1: Inadvertent Discovery of Archaeological Resources. In the event that archaeological resources are exposed during ground-disturbing activities, construction activities (e.g., grading, grubbing, or vegetation clearing) shall be halted in the immediate vicinity of the discovery. An archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards shall then be retained to evaluate the resource's significance under CEQA. If the discovery proves to be significant, additional work, such as data recovery excavation, may be warranted and shall be discussed in consultation with the City. CUL-2: Cultural Resources Investigations. The City of Bishop shall ensure that potentially impacted prehistoric and historic-era cultural resources, whether they are archaeological resources or historic (built environment) resources, be assessed to determine if they qualify as historical resources as defined in CEQA guidelines section 15064.5(a). Resources found to be not significant shall not require mitigation.	Less than significant

		Archaeological Resources Per CEQA Guidelines Section 15064.5(c), archaeological sites that fail to qualify as historical resources under CEQA must also be assessed to determine if they qualify as unique archaeological resources as defined in PRC Section 21083.2(g). Impacts to those sites found to be significant, either as historical resources or as unique archaeological resources, shall be mitigated to below the level of significance, most often through a Phase III data recovery program. Phase II Evaluations Archaeological resources shall be assessed for significance through the implementation of Phase II investigations prior to the initiation of construction activities in those areas where the sites are located. This may require some or all of the following: • Development of a research design that guides assessments of site significance and scientific potential. • Mapping and systematic collection of a representative sample of surface artifacts • Subsurface investigation through shovel test pits, surface scrapes, or 1 by 1 meter excavation units; a combination of such methods; or equivalent methods • Analysis of recovered material to determine significance pursuant to the CEQA Guidelines • Preparation of a report, including an evaluation of site significance, and recommendations for mitigation, if appropriate • Appropriate curation of collected artifacts	

		Phase III Mitigation A Phase III data recovery effort, in accordance with CEQA Guidelines, shall be implemented by the City of Bishop for those sites determined to be significant through Phase II testing and evaluation. The City shall ensure that data recovery conducted to the level that reduces impacts to below the level of significance has been completed prior to project implementation for any area containing a site determined to be significant and for which it can be demonstrated that consequential scientific information can be recovered. The Phase III data recovery program shall include: • Development of a comprehensive research design to answer questions addressed during the Phase II on a broader regional level and to provide a procedural framework for the collection of data at sites determined to be significant • Mapping and systematic collection of surface artifacts, possibly complete data recovered depending on site size • Subsurface investigation through methods, such as controlled hand-excavation units, machine excavations, deep testing, or a combination of methods. When applicable, other techniques, such as geophysical testing methods, may also be used • Analysis of recovered material through visual inspection and chemical analysis when applicable • Preparation of a report • Appropriate curation of collected artifacts *Historic (Built Environment) Resources* Historic (built environment) resources are typically structures and properties that make up the historically built environment. Most frequently, these include buildings constructed during the historic	

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		period, but historic resources may also include cultural landscapes, objects, places, or linear features such as roads or walls. In general, a property must be at least 50 years of age to be considered for an assessment of significance. There are exceptions for properties that are less than 50 years of age that are of exceptional significance. Phase I Investigation and Evaluation Phase I investigations of historic resources include both an inventory and significance evaluation of the resources. The purpose of this investigation is to analyze and present the data relevant for determining if the resource is a significant historical resource per CEQA Guidelines Section 15064.5 (a)(3)(A-D), including a careful evaluation of the seven aspects of integrity. Phase I investigations of historic resources include historical research, an inspection of the property, and an evaluation of the presence of significant historic resources. Historical research includes review of all appropriate documents, including site records, maps, and other appropriate archival materials including pertinent grantor-grantee land ownership title record data for the period of historical significance. Phase II Impact Assessment If the Phase I work results in the identification of significant historic resources, then a Phase II investigation is conducted to assess the impacts of the proposed project and formulate appropriate mitigation measures. Avoidance and preservation in place is always the preferred mitigation. Mitigation measures may include, but are not limited to, preservation in place, restoration, rehabilitation, reconstruction, relocation, and documentation through drawings, plans, and photographs.	

Phase III Mitigation

Phase III work for historic resources which are not completely avoided involves carrying out the mitigation proposed under Phase II. Phase III historic resource reports document the mitigation measures that were carried out and include the documentation produced.

- CEQA recognizes that a project that follows the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings* or the *Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historical resource (CEQA Guidelines Section 15064.5(b)(3)).

- Relocation of an historical resource may constitute an adverse impact to the resource. However, in situations where relocation is the only feasible alternative to demolition, relocation may mitigate below a level of significance provided that the new location is compatible with the original character and use of the historical resource and the resource retains its eligibility for listing on the California Register (14 CCR § 4852(d)(1)).

- In most cases the use of drawings, photographs, and/or displays does not mitigate the physical impact on the environment caused by demolition or destruction of an historical resource (14 CCR § 15126.4(b)). However, CEQA requires that all feasible mitigation be undertaken even if it does not mitigate below a level of significance. In this context, recordation serves a legitimate archival purpose. The level of documentation required as a mitigation should be proportionate with the level of significance of the resource.

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
CUL-2: The proposed project may cause a substantial change in the significance of a unique archaeological resource.	Potentially significant	See Impact CUL-1 for Mitigation Measure CUL-1 and CUL-2	Less than significant
CUL-3: The proposed project may disturb human remains, including those interred outside of formal cemeteries.	Potentially significant	CUL-3: Human Remains. The discovery of human remains is always a possibility during a project. If such an event did occur, the specific procedures outlined by the Native American Heritage Commission (NAHC), in accordance with Section 7050.5 of the California Health and Safety Code and Section 5097.98 of the Public Resources Code, must be followed: CUL-3.1. All excavation activities within 60 feet of the remains will immediately stop, and the area will be protected with flagging or by posting a monitor or construction worker to ensure that no additional disturbance occurs. CUL-3.2. The project owner or their authorized representative will contact the Inyo County Coroner. CUL-3.3. The coroner will have two working days to examine the remains after being notified in accordance with HSC 7050.5. If the coroner determines that the remains are Native American and are not subject to the coroner's authority, the coroner will notify NAHC of the discovery within 24 hours. CUL-3.4. NAHC will immediately notify the Most Likely Descendant (MLD), who will have 48 hours after being granted access to the location of the remains to inspect them and make recommendations for their treatment. Work will be suspended in the area of the find until the County approves the proposed treatment of human remains.	Less than significant

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
CUL-4: The proposed project may result in cumulative impacts to cultural resources.	Potentially significant	See Impact CUL-1 for Mitigation Measure CUL-1 and CUL-2	Less than significant
Energy			
ENE-1: The proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy resources.	Less than significant	N/A	N/A
ENE-2: The proposed project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency.	Less than significant	N/A	N/A
ENE-3: The proposed project would not contribute to significant cumulative impacts on regional energy supplies and sources.	Less than Significant	N/A	N/A
Geology and Soils			
GEO-1: The proposed project may directly or indirectly cause potential substantial adverse effects involving rupture of known earthquake fault, strong seismic ground shaking, or seismic-related ground failure, including liquefaction or landslides.	Potentially significant	GEO-1: Site-Specific Geotechnical Investigation. Prior to issuance of a grading permit, a geotechnical firm with local expertise in geotechnical investigation shall prepare a site-specific geotechnical report. The report shall be prepared by a California-licensed geotechnical engineer or engineering geologist and be submitted to the City building department for approval prior to the issuance of a grading permit. This report shall be based on data collected from subsurface exploration, laboratory testing of samples of surface mapping, and address the potential for surface fault rupture, ground shaking, slope failure, expansive soils, and unstable cut or fill slopes and make recommendations based on those findings. The developer shall implement recommendations identified in the site-specific geotechnical report.	Less than significant
GEO-2: The proposed project would not result in substantial soil erosion or loss of topsoil.	Less than significant	N/A	N/A
GEO-3: The proposed project may be located on a geologic unit or soils that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-	Potentially significant	See Impact GEO-1 for Mitigation Measure GEO-1	Less than significant

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
site landslide, lateral spreading, subsidence, liquefaction or collapse.			
GEO-4: The proposed project would not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) and would not create substantial direct or indirect risks to life or property.	Less than significant	N/A	N/A
GEO-5: The proposed project would not require the use of septic tanks or an alternative waste water disposal system.	No impact	N/A	N/A
GEO-6: The proposed project may directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	Potentially significant	GEO-2: Avoid and Minimize Impacts to Paleontological Resources. In the event a paleontological or other geologically sensitive resource (such as fossils or fossil formations) are identified during construction, all excavations within 100 feet of the find shall be temporarily halted until the find is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The paleontologist shall notify the appropriate representative at the City of Bishop who shall coordinate with the paleontologist as to any necessary investigation of the find. If the find is determined to be significant under CEQA, the City shall implement those measures which may include avoidance, preservation in place, or other appropriate measures, as outlined in Public Resources Code Section 21083.2.	Less than significant
GEO-7: The proposed project would not result in a significant cumulative impact with respect to geology and soils.	Less than significant	N/A	N/A
Greenhouse Gas Emissions			
GHG-1: Implementation of the project would not generate GHG emissions that may have a significant impact on the environment.	Less than significant	N/A	N/A
GHG-2: Implementation of the project would not conflict with or obstruct implementation of applicable GHG reduction plans, policies, or regulations.	Less than significant	N/A	N/A

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
GHG-3: The proposed project would not contribute to a significant cumulative impact to regional and State GHG emissions.	Less than significant	N/A	N/A
Hazards and Hazardous Materials			
HAZ-1: The proposed project would not create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials.	Less than significant	N/A	N/A
HAZ-2: The proposed project would not 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.	Less than significant	N/A	N/A
HAZ-3: The proposed project would not emit hazardous emissions or require handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.	Less than significant	N/A	N/A
HAZ-4: The proposed project is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Section 65962.5 of the California Government Code and, as a result, would not create a significant hazard to the public or the environment.	Less than significant	N/A	N/A
HAZ-5: The proposed project, which is not within an airport land use plan or within two miles of a public airport or public use airport, would not result in a safety hazard or excessive noise for people residing or working in the project area.	Less than significant	N/A	N/A
HAZ-6: The proposed project would not impair implementation of or physically	Less than significant	N/A	N/A

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
interfere with an adopted emergency response plan or emergency evacuation plan.			
HAZ-7: The proposed project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.	Less than significant	N/A	N/A
HAZ-8: The proposed project would not contribute to a significant cumulative impact with respect to hazards and hazardous substances.	Less than significant	N/A	N/A
Hydrology and Water Quality			
HYD-1: The proposed project would not violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.	Potentially significant	HYD-1: Stormwater Quality Protection. The project applicant shall file a Notice of Intent (NOI) to comply with the Construction General Permit with the Lahontan RWQCB prior to each phase of construction. Individual Stormwater Pollution Prevention Plan (SWPPPs) shall be prepared for each NOI and shall detail the treatment measures and BMPs to control pollutants that shall be implemented and complied with during the construction and post-construction phases of the project. The SWPPPs are subject to approval by the Lahontan RWQCB, which makes the final determination on which BMPs are required for the project. The construction contracts for each project phase shall include the requirement to implement the BMPs in accordance with the SWPPPs, and proper implementation of the specified BMPs is subject to inspection by the Lahontan RWQCB staff. Example BMPs may include practices such as: designation of restricted-entry zones, sediment tracking control measures (e.g., crushed stone or riffle metal plate at construction entrance), truck washdown areas, diversion of runoff away from disturbed areas, protective measures for sensitive areas, outlet protection, provision mulching for soil stabilization during construction, and provision for revegetation upon completion of construction within a given area. The SWPPPs will also prescribe treatment measures to trap sediment once it has been mobilized, such as	Less than significant

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		straw bale barriers, straw mulching, fiber rolls and wattles, silt fencing, and siltation or sediment ponds.	
HYD-2: The proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.	Less than significant	N/A	N/A
HYD-3: The proposed project may 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 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 stormwater drainage systems or provide substantial additional sources of polluted runoff; or (iv) impede or redirect flood flows.	Less than significant	See Impact HYD-1 for Mitigation Measure HYD-1	Less than significant
HYD-4: The proposed project would not risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones.	Less than significant	N/A	N/A
HYD-5: The proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.	Less than significant	N/A	N/A
HYD-6: The proposed project would not contribute to a significant cumulative impact with respect to hydrology and water quality resources.	Less than significant	N/A	N/A

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
Land Use and Planning			
LUP-1: The proposed project would not physically divide an established community.	No Impact	N/A	N/A
LUP-2: The proposed project would not conflict with any land use plan, policy, or regulation which would result in a significant land use and planning impact.	Less than significant	N/A	N/A
LUP-3: The proposed project would not result in a significant cumulative impact with respect to land use and planning.	Less than significant	N/A	N/A
Mineral Resources			
MIN-1: The proposed project would not 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.	No impact	N/A	N/A
MIN-2: The proposed project would not 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.	No impact	N/A	N/A
MIN-3: The proposed project would not result in a significant cumulative impact with respect to mineral resources.	No impact	N/A	N/A
Noise			
NOI-1: The proposed project would not result in a temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the City General Plan.	Less than significant	N/A	N/A
NOI-2: The proposed project may result in the generation of excessive ground borne vibration levels.	Potentially significant	NOI-1: Construction Vibration Limits. The City shall ensure that, during project construction activities, all vibratory rollers are used in static mode only (no vibrations) when operating within 20 feet of any occupied structure. If construction activity is to be	Less than Significant

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
		performed by contractors, the City shall specify the vibratory roller use limitations on contract documents.	
NOI-3: The proposed project would not expose people residing or working in the project area to excessive noise levels from public use airports or private airstrips.	Less than significant	N/A	N/A
NOI-4: The proposed project would not contribute to a cumulatively considerable impact on ambient noise levels in the City.	Less than significant	N/A	N/A
Population and Housing			
POP-1: The proposed project would not induce substantial unplanned population growth in an area, either directly or indirectly.	Less than significant	N/A	N/A
POP-2: The proposed project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.	No Impact	N/A	N/A
POP-3: The proposed project would not result in a significant cumulative impact with respect to population and housing.	Less than significant	N/A	N/A
Public Services			
PS-1: The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities in order to maintain acceptable service ratios, response times or other performance objectives for any public services including fire protection, police protection, schools, parks, or other public facilities.	Less than significant	N/A	N/A

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
PS-2: The proposed project would not result in a significant cumulative impact with respect to public services.	Less than significant	N/A	N/A
Recreation			
REC-1: The proposed project would not 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.	Less than significant	N/A	N/A
REC-2: The proposed project would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.	No Impact	N/A	N/A
REC-3: The proposed project would not result in a significant cumulative impact with respect to recreation.	Less than significant	N/A	N/A
Transportation			
TRA-1: The proposed project would not conflict with a program, plan, ordinance, or policy addressing the circulation system including transit, roadway, bicycle, and pedestrian facilities.	Less than significant	N/A	N/A
TRA-2: The proposed project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).	Less than significant	N/A	N/A
TRA-3: The proposed project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	Less than significant	N/A	N/A
TRA-4: The proposed project would not result in inadequate emergency access.	Less than significant	N/A	N/A

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
TRA-5: The proposed project would not contribute to a significant cumulative impact with respect to transportation.	Less than significant	N/A	N/A
Tribal Cultural Resources			
TCR-1: The proposed project may cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geologically 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: 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).	Potentially significant	TCR-1: Inadvertent Discovery of Tribal Cultural Resources (TCRs). In the event that tribal cultural resources are exposed during ground-disturbing activities, construction activities (e.g., grading, grubbing, or vegetation clearing) shall be halted in the immediate vicinity of the discovery. An archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards shall then be retained to evaluate the resource's significance under CEQA. If the discovery proves to be significant, additional work, such as data recovery excavation, may be warranted and shall be discussed in consultation with the City.	Less than significant
TCR-2: The proposed project may cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geologically 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: 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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of	Potentially Significant	See Impact TCR-1 for Mitigation Measure TCR-1	Less than significant

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
the resource to a California Native American tribe.			
TCR-3: The proposed project may result in a cumulative impact with respect to tribal cultural resources	Potentially significant	See Impact TCR-1 for Mitigation Measure TCR-1.	Less than significant
Utilities and Service Systems			
UTL-1: The proposed project would not 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.	Less than significant	N/A	N/A
UTL-2: The proposed project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.	Less than significant	N/A	N/A
UTL-3: The proposed project may result in a determination by the wastewater 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	UTL-1: Demonstrate Adequate Wastewater Capacity. Future project applicants would be required to demonstrate that adequate wastewater capacity exists to serve the planned development project. Adequate capacity to handle wastewater to support the development of the project would need to be demonstrated prior to County approval of the grading plans.	Less than significant
UTL-4: The proposed project would not 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.	Less than significant	N/A	N/A
UTL-5: The proposed project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste.	Less than significant	N/A	N/A

Significant Impact	Significance Without Mitigation	Mitigation Measures	Significance with Mitigation
UTL-6: The proposed project may result in a significant cumulative impact with respect to utilities.	Potentially significant	See Impact UTL-3 for Mitigation Measure UTL-1	Less than significant
Wildfire			
FIRE-1: The proposed project would not substantially impair an adopted emergency response plan or emergency evacuation plan.	Less than significant	N/A	N/A
FIRE-2: Due to slope, prevailing winds, and other factors, the project would not exacerbate wildlife risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.	Less than significant	N/A	N/A
FIRE-3: The proposed project would not 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.	Less than significant	N/A	N/A
FIRE-4: The proposed project would not expose people or structures to significant risks including downstream or downslope landslides or flooding as a result of runoff, post-fire slope instability or drainage changes.	Less than significant	N/A	N/A
FIRE-5: The proposed project would not contribute to a significant cumulative impact with respect to wildfire.	Less than significant	N/A	N/A

1.0 INTRODUCTION

Pursuant to Section 21080(a) of the California Environmental Quality Act (CEQA) and Section 15378(a) of the CEQA Guidelines, the Downtown Bishop Specific Plan and Mixed-Use Overlay is considered a "project" subject to environmental review because its approval is "an activity directly undertaken by any public agency including but not limited to public works construction and related activities clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements thereof pursuant to Government Code Sections 65100-65700." This Environmental Impact Report (EIR) provides an assessment of the potential environmental impacts that may result from implementation of the Downtown Bishop Specific Plan and Mixed-Use Overlay Project, herein referred to as "project" or "proposed project." The City of Bishop (City) is the CEQA Lead Agency for the proposed project. This EIR is intended to inform the City's decision-makers, responsible and trustee agencies, and the public-at-large of the nature of the proposed project and its potential effect on the environment.

1.1 PROJECT BACKGROUND

The City of Bishop faces unique opportunities and challenges related to housing, commercial development, and anticipated population growth owed in part to the Bishop Airport expansion and increased remote work opportunities. The City currently faces a housing shortage, and due to market forces and previous demographic shifts, some of the structures within the downtown area that previously served as housing have since been converted into retail or office space. Further exacerbating this challenge, the City of Los Angeles Department of Water & Power (LADWP) owns many of the underutilized or undeveloped lots within the study area, which limits development opportunities and highlights the need for increased massing and density standards to accommodate additional residential units.

The Downtown Bishop Specific Plan and Mixed-Use Overlay establish a framework to guide the growth, function, and aesthetics of Bishop's city center while maintaining its distinct small-town character and creating a vibrant pedestrian-friendly environment. Used in conjunction, the Plan and Overlay provide regulations and guidance for increased residential development and a broader mix of uses within their respective boundaries.

The Plan and Overlay were created through a collaborative process in which city officials and staff, stakeholders, and residents worked together to establish development regulations, building and signage design guidelines, mobility recommendations, and implementation strategies. These components will help Bishop meet the vision shared by these partners of growth management and housing, mobility enhancements, and a cohesive downtown character.

1.2 SCOPE AND ORGANIZATION OF THE EIR

Sections 15120 through 15132 of the CEQA Guidelines present the required content for Draft and Final EIRs. An EIR must include a brief summary of the proposed action and its consequences, a description of the proposed project, a description of the environmental setting, an environmental impact analysis, mitigation measures proposed to minimize potentially significant effects, alternatives to the proposed project, significant irreversible environmental changes, growth inducement, effects found not to be

significant, effects found to be significant and unavoidable, organizations and persons consulted, and cumulative impacts.

In accordance with CEQA, this EIR: (1) identifies the potential significant effects of the proposed project on the environment and indicates the manner in which those significant effects can be avoided or mitigated; (2) identifies unavoidable adverse impacts that cannot be mitigated; and, (3) analyzes reasonable alternatives to the proposed project. Although the EIR does not control the final decision on the proposed project, the Lead Agency shall consider the information in the EIR and respond to each significant effect identified in the EIR.

As the CEQA Lead Agency, the City identified the following issues areas to be analyzed in detail in this EIR:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

This EIR is organized in the following chapters:

- **Executive Summary:** Consistent with Section 15123 of the CEQA Guidelines, this chapter provides a brief summary of the proposed project and identifies environmental impacts and mitigation measures in a summary matrix.

- **Chapter 1.0 – Introduction:** This chapter presents an overview of the project background, describes the intended use of the EIR (CEQA Guidelines Section 15124(d)), as well as the environmental review process.

- **Chapter 2.0 – Project Setting and Location:** This chapter includes a description of the physical environmental conditions in the vicinity of the project site as they existed at the time the Notice of Preparation (NOP) was published, and which have been updated based on current conditions during preparation of this EIR, consistent with Section 15125 of the CEQA Guidelines.

- **Chapter 3.0 – Project Description:** This chapter provides a detailed description of the proposed project characteristics and objectives as well as the required discretionary approvals consistent with Section 15124 of the CEQA Guidelines.

- **Chapter 4.0 – Environmental Impact Analysis:** This chapter contains a comprehensive analysis of the potential impacts to each environmental factor evaluated in this EIR, feasible measures that could minimize or mitigate those impacts consistent with Section 15126.4 of the CEQA Guidelines,

and cumulative impacts resulting from the combination of the proposed project together with other County plans causing related impacts consistent with Section 15130 of the CEQA Guidelines.

- **Chapter 5.0 – Project Alternatives:** Consistent with Section 15126.6 of the CEQA Guidelines, this chapter evaluates a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. Alternatives other than the proposed project evaluated in this document include: (1) No Project Alternative; (2) Restricted Height Development Alternative; (3) Medium Development Alternative, and (4) Low Development Alternative.

- **Chapter 6.0 – Significant Irreversible Environmental Changes:** Consistent with Section 15126.2(d) of the CEQA Guidelines, this chapter outlines the significant irreversible changes anticipated to occur as a result of the proposed project.

- **Chapter 7.0 – Growth Inducement:** Consistent with Section 15126.2(e) of the CEQA Guidelines, this chapter describes potential growth-inducing impacts associated with the proposed project.

- **Chapter 8.0 – Significant and Unavoidable Impacts:** Consistent with Section 15126.2(c) of the CEQA Guidelines, this chapter describes any significant impacts identified, including those which can be mitigated but not reduced to a level of insignificance.

- **Chapter 9.0 – List of Preparers:** This chapter lists all authors and agencies that assisted in the preparation of the report by name, title, and company or agency affiliation.

- **List of Appendices:**

  Appendix A – Figures
  Appendix B – NOP and Scoping Report
  Appendix C – Mitigation Monitoring and Reporting Program
  Appendix D – Air Quality, Greenhouse Gas Emissions, and Energy Calculations
  Appendix E – Biological Resources Database Search Results

1.3 ENVIRONMENTAL REVIEW PROCESS

The preparation, review, and certification process for the EIR involves the following steps:

1.3.1 Notice of Preparation

After deciding that an EIR is required, the Lead Agency must file an NOP soliciting input on the scope of the EIR with the State Clearinghouse, other concerned agencies, and parties previously requesting notice in writing (CEQA Guidelines Section 15082; Public Resources Code [PRC] Section 21092.2). The NOP must be posted in the County Clerk's office for 30 days.

The NOP for this EIR was circulated for a 30-day agency and public review period that started on May 17, 2021 and ended on June 15, 2021. A virtual public hearing to receive comments on the scope of the EIR was held on Thursday May 20th, 2021, at 6:00 p.m. via Zoom™. The NOP and scoping process solicited

comments from identified responsible and trustee agencies, as well as interested parties regarding the scope of the EIR. **Appendix B** of this EIR includes the NOP, comments received in response to the circulation of the NOP, and the scoping report.

1.3.2 Draft EIR

The Draft EIR must contain information required by CEQA Guidelines Sections 15122 through 15131, including: a) table of contents or index; b) summary; c) project description; d) environmental setting; e) discussion of significant impacts (direct, indirect, cumulative, growth-inducing, and unavoidable impacts); f) a discussion of alternatives; g) mitigation measures; and, h) discussion of irreversible changes.

1.3.3 Public Notice/Public Review of Draft EIR

The principal objectives of CEQA require that: (1) the environmental review process provides for public participation; and, (2) the EIR serves as an informational document to inform members of the general public, responsible and trustee agencies, and the decision-makers of the physical impacts associated with a proposed project.

Upon completion of the Draft EIR, the Lead Agency must file a Notice of Completion (NOC) with the State Clearinghouse and prepare a public Notice of Availability (NOA) of a Draft EIR. The NOA must be posted in the County Clerk's office for 30 days (PRC Section 21092), and the Lead Agency must send a copy of the NOA to anyone who has requested it (CEQA Guidelines Section 15087). Additionally, a public NOA of a Draft EIR must be provided through at least one of the following procedures: a) publication in a newspaper of local circulation; b) posting on and off the project site; or c) direct mailing to owners and occupants of contiguous properties. The Lead Agency must solicit input from other agencies and the public and respond in writing to all comments received (PRC Sections 21104 and 21253).

This Draft EIR will be available for review by the public and interested parties, agencies, and organizations for a 45-day comment period beginning on May 27, 2022 and ending July 11, 2022. During the comment period, the public is invited to submit written or email comments on the Draft EIR to the Inyo County Planning Department.

Written comments on this Draft EIR should be submitted to:

Elaine Kabala, Senior Planner
City of Bishop Public Works Department
377 West Line Street
Bishop, California 93514
Email: ekabala@cityofbishop.com

1.3.4 Final EIR

Following the conclusion of the 45-day public review period for the Draft EIR, the City shall review comments received and prepare written responses to comments on environmental issues. A Final EIR would then be prepared, which shall contain the comments received, responses to comments raising environmental issues, and changes to the Draft EIR (if necessary). The Final EIR would then be presented to the City of Bishop City Council for consideration and certification. Agencies, organizations, and/or

individuals who commented on the Draft EIR shall be notified of the availability of the Final EIR and the date of the public hearings before the City of Bishop City Council.

Responses to comments submitted on the Draft EIR by public agencies shall be provided to those agencies at least 10 days prior to certification of the EIR. Public input is encouraged at all public hearings before the City. The City Council would also make findings regarding each significant environmental impact of the proposed project as identified in the Final EIR. For each significant impact of the project identified in the EIR, the Lead Agency must find, based on substantial evidence, that either: a) the project has been changed to avoid or substantially reduce the magnitude of the impact; b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible (CEQA Guidelines Section 15091). If an agency approves a project with unavoidable significant environmental impacts, it must prepare a written Statement of Overriding Considerations that sets forth the specific social, economic, or other reasons supporting the agency's decision.

The Final EIR would need to be certified by the City as having been prepared in compliance with CEQA prior to deciding to approve or deny the proposed project. If the City Council certifies the Final EIR, it may then consider whether to approve the Downtown Bishop Specific Plan and Mixed-Use Overlay. The City Council would adopt and make conditions of project approval for feasible mitigation measures identified in the EIR.

1.3.5 Notice of Determination

The Lead Agency must file a Notice of Determination (NOD) after deciding to approve a project for which an EIR is prepared (CEQA Guidelines Section 15094). A local agency must file the NOD with the County Clerk within five working days after approval of the project by the Lead Agency. If the project requires discretionary approval from any State agency, then the local Lead Agency shall also file a copy of the NOD with the State Clearinghouse within five working days after project approval. The NOD must be posted for 30 days and sent to anyone previously requesting notice. Posting of the NOD starts a 30-day statute of limitations on CEQA legal challenges (PRC Section 21167[c]).

1.3.6 Mitigation Monitoring and Reporting Program

PRC Section 21081.6 requires that the Lead Agency adopt a mitigation monitoring and reporting program (MMRP) for any project for which it has adopted mitigation measures. The MMRP (**Appendix C**) is intended to ensure compliance with the adopted mitigation measures during project implementation.

2.0 PROJECT SETTING AND LOCATION

2.1 PROJECT SETTING

The City of Bishop is located in Inyo County's Owens Valley, east of the Sierra Nevada Mountain range and west of the White Mountains. Bishop is the only incorporated city within Inyo County, a region that serves as a year-round tourist destination known for its picturesque natural environment and for abundant outdoor recreational offerings such as hiking, fishing, hunting, off-roading, climbing, bouldering, and bird watching.

The Owens Valley is the homeland of the Paiute Native Americans who developed elaborate irrigation systems in the fertile valley. In 1860, ranchers and prospectors settled in the area and established a ranching community to support nearby gold and silver mining operations. In the early 1900s, much of the land surrounding Bishop was purchased by the Los Angeles Department of Water & Power (LADWP) to secure water rights for the City of Los Angeles. The LADWP continues to own and operate these lands and their presence has had a lasting impact on Bishop's land use and economic development.

The City of Bishop encompasses approximately 2 square miles in the northern portion of the Owens Valley. It is located in Inyo County on the eastern side of the Sierra Nevada range along US Highway 395. US Highway 395 provides a major source of tourist and recreation traffic for Bishop. Bishop is not only the principal urban community of Inyo County, but is generally considered the major urban center of eastern California. Carson City to the north and Ridgecrest to the south are the nearest urban centers to Bishop. Consequently, Bishop is affected by a much larger area than that of the immediate City limits or the surrounding unincorporated Inyo County. **Figure 2.1-1** shows the regional location of the project. (Note: all figures are located in **Appendix A**).

The population of the City of Bishop is 3,745 residents, with an additional 5,398 residents located in the Bishop vicinity. The City's population represents 20.7 percent of Inyo County's total population. The Bishop Reservation of the Paiute-Shoshone Indian Tribe accounts for 1,587 residents and is located immediately to the west of the City (ACS 2019).

Bishop is Inyo County's principal employment center, accounting for over 50 percent of primary wage earner employment. The wholesale trades, service, and government sectors alone account for almost 70 percent of all employment. Bishop is also the regional retail and commercial service center with the City accounting for over 50 percent of total county retail sales. Most of the county and regional wholesale and distributing businesses are located within the City or in the immediate area (City of Bishop 1993).

2.2 PROJECT AREA

Downtown Bishop was developed prior to the advent of daily automobile use, which led to its development as a pedestrian-scale, walkable small town. A variety of goods and services are located adjacent to residential districts, sidewalks (with the exception of Main Street) are typically at least 10 feet wide and feature Americans with Disabilities Act (ADA) accessible curb ramps, and block lengths rarely exceed 600 feet. The downtown area hosts a range of historic and contemporary architectural styles, with many buildings exhibiting architectural features that contribute to a pedestrian-oriented, walkable downtown, which include large windows, a continuous street with limited setbacks, and entrances and signage that can be read from the sidewalk. The mix of building types is representative of

downtown's evolution over the years, and this authentic assortment of forms and functions contributes to Bishop's charm.

The proposed project consists of two parts: a Specific Plan and a Mixed-Use Overlay Zone, the boundaries of which are shown on **Figure 2.2-1**. The Mixed-Use Overlay Zone consists of 94.5 acres primarily located along Main Street and Line Street and includes Bishop's Downtown Core and parcels immediately adjacent to the downtown area, as well as the parcel located at the northeast corner of Main Street and Yaney Street. The Specific Plan Area encompasses a larger portion of the City of Bishop than the Mixed-Use Overlay Zone. The Specific Plan is 302.4 acres and includes not only the Downtown Core and the entirety of the Mixed-Use Overlay Zone, but also extends north past Mac Iver Street and includes additional parcels to the east of the Mixed-Use Overlay Zone.

2.3 GENERAL PLAN AND ZONING DESIGNATIONS

2.3.1 General Plan

The existing General Plan land use designations in the Specific Plan area consist primarily of commercial land uses located along Main Street and Line Street with smaller blocks of residential uses on the edge of the Specific Plan boundary. The following existing General Plan land use designations fall within the Specific plan area:

- **General Commercial:** Commercial activities in this broad category include those establishments offering a wide range of convenience consumer goods and a wide variety of personal services. Uses in this category depend upon a continuing relationship with a clientele on a day-to-day basis for the sale of retail goods and services. Uses in this category need to reinforce one another by being grouped together with other uses oriented to the same clientele, avoiding non-active retail uses, vacant areas, and other "dead" locations. Examples include those retail service uses located in the downtown central business district, shopping centers, and other mutually supporting centers. In addition, this land use designation is intended to encompass commercial activities dependent upon a transient, automobile-oriented clientele. As a result, the uses within this designation tend to locate along the heavily traveled US Highway 395, West Line Street, and Highway 6 frontages on large parcels.

- **Parks and Open Space:** This land use category identifies the active and passive recreational facilities in the City of Bishop. Existing City parks are included in this category, as well as the riparian corridors which LADWP utilizes for drainage maintenance that meander through Bishop. These areas are intended for the preservation of the natural environment as well as the inclusion of usable parkland for recreational purposes.

- **Heavy Commercial:** This land use category includes commercial activities which usually are conducted without direct contact with the consumer. These uses more often serve other commercial outlets rather than retail consumers. Uses in this category include building contractors' yards, machine shops, auto body repair, petroleum products, open storage uses, distributors, and warehousing. These commercial service activities are often nuisance producing and such areas typically assume the characteristics of light industrial uses. Commercial service activities often require large amounts of space and thus large parcels, generally exceeding one half acre. Due to their nuisance producing character, physical segregation and substantial buffering is desirable. These commercial service activities are most compatible with highway

commercial uses, often of a similar character. Access is an important consideration due to the reliance on truck service.

- **High Density Residential (22.1 to 35.0 DU/AC):** Structures in this category are limited to multi-story apartments or apartment type buildings. Housing provided by this type of development is oriented toward single individuals, retired persons, and those whose lifestyles are not directed toward the use and maintenance of private open space. Densities in this category range from 21.1 to 35.0 dwelling units per acre, although lot sizes of 20,000 square feet or greater provide the practical lower limit of land ownership necessary for proper development. Gross site area per dwelling unit in this category fall into the 1,250 to 2,000 square foot range. The intensified character, reduced private open space, traffic, and height of such development make the location of these areas as important as the availability of water and sewer services.

- **Medium High Density Residential (10.0 to 22.0 DU/AC):** Structures in this category of residential land use include single family townhouses, patio homes, duplexes, triplexes, garden apartments, and mobile home parks. Housing provided by this category is oriented towards young couples, single individuals, and retired persons rather than families. Although as housing costs have risen, families, especially those with lower incomes, have tended to make greater use of these forms of housing. Densities range from 10.0 to 22.0 dwelling units per acre. In considering density in this land use category, it is necessary to think in terms of site area per dwelling rather than lot size. Although the actual density is design-dependent, gross site area per dwelling unit ranges between 2,000 and 3,500 square feet. The intensified character, reduced private open space, and increased traffic make the location of these areas and the design of such developments as important as the availability of sewer and water service.

- **Medium Density Residential (5.1 to 9.9 DU/AC):** Medium density residential areas are typical of single-family development in and adjacent to more urbanized portions of a community. Development within this density range span single family residential units on individual parcels to smaller, specialized development such as mobile home subdivisions and patio homes. Densities in this category range from 5.1 to 9.9 dwelling units per acre on lots ranging from 4,400 to 8,000 square feet. Private open space on each parcel provides privacy and outdoor living space. The provision of water, sewer, and adequate access are important locational considerations.

2.3.2 Zoning

The existing zoning in the Specific Plan area consists primarily of commercial zoning located along Main Street and Line Street with smaller blocks of residential on the edge of the Specific Plan boundary. The following existing zoning districts fall within the Specific plan area:

- **General Commercial and Retail District (C-1):** The C-1 district is intended to serve as the retail trading and business area of the city. Permitted uses include grocery stores, barber shops, clothing, and other retail stores.

- **General Commercial District (C-2):** The C-2 district provides areas that will permit a more complete range of commercial activities as well as light manufacturing and wholesale facilities. Permitted uses include trade schools, auction houses, and other general commercial purposes.

- **Single-family Residential District (R-1):** The R-1 single-family residential district is intended to provide for the development of single-family dwellings, not more than one such dwelling on each lot, and for such accessory uses as are related, incidental and not detrimental to the residential environment. Home occupation is limited under this code and there is no employment of help in such occupations other than the members of the resident family, although Bed & Breakfast Inns are allowed with limitations.

- **Medium High Density Residential District (R-2000):** The R-2000 medium high density residential district is intended to provide for the development of multiple-family residential structures in the form of multi-story apartment houses, apartment units, and other rental units as are required to serve the residents in a medium-high density area. The maximum height is two stories and there shall be a minimum of 2,000 square feet of land area for each dwelling unit.

- **Medium High Density Residential District and/or Professional and Administrative Offices (R-2000-P):** The R-2000-P district is intended to provide for development of multiple-family residential structures and other rental units as are required to serve the needs of residents in a medium high-density district and/or for professional and administrative offices. The maximum height is two stories and there shall be a minimum of 2,000 square feet of land for each dwelling unit.

- **Multiple Residential District (R-3):** The R-3 multiple residential district is intended to provide for the development of multiple-family residential structures in the form of multi-story apartment houses, apartment courts, and such other rental units as are required to serve the needs of residents in a high-density area. There shall be a minimum of 1,250 square feet of land area for each dwelling unit.

- **Multiple Residential District and/or Professional and Administrative Offices (R-3-P):** The R-3-P district is intended to provide for the development of multiple-family residential structures in the form of multi-story apartment houses, apartment courts, and other rental units as are required to serve the needs of residents in high density areas and/or professional and administrative offices. The maximum height is two stories and there shall be a minimum of 1,250 square feet of land area for each dwelling unit.

2.4 REFERENCES

American Communities Survey (ACS). 2019. ACS Demographic and Housing Estimates. Accessed June 2, 2021 and available at: https://data.census.gov/cedsci/table?q=Bishop,%20CA&tid=ACSDP5Y2019.DP05.

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_____. 2015. Economic Development Element Update. Accessed June 3, 2021 and available at: https://www.cityofbishop.com/Document%20Center/Department/Planning/Economic%20Development/2015_Draft_Economic_Development_Element_Update.pdf.

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3.0 PROJECT DESCRIPTION

This chapter describes the proposed project, including project overview, purpose, objectives, project description, and discretionary actions needed for approval.

3.1 PROJECT OVERVIEW

The Downtown Bishop Specific Plan and Mixed-Use Overlay establish a framework to guide the growth, function, and aesthetics of Bishop's city center while maintaining its distinct small-town character and creating a vibrant pedestrian-friendly environment. The Plan and Overlay provide regulations and guidance for increased residential development and a broader mix of uses within their respective boundaries.

The Plan and Overlay were created through a collaborative process which included city officials and staff, stakeholders, and residents. They establish development regulations, building and signage design guidelines, mobility recommendations, and implementation strategies. These components will help Bishop meet the vision shared by these partners of growth management and housing, mobility enhancements, and a cohesive downtown character.

3.2 PROJECT PURPOSE

Bishop faces unique opportunities and challenges related to housing, commercial development, and anticipated population growth owed in part to the planned Bishop airport expansion and increased remote work opportunities. The city currently faces a housing shortage, and due to market forces and previous demographic shifts, some of the structures within the downtown area that previously served as housing have since been converted into retail or office space. Only twelve housing units were constructed in Bishop between 2010 and 2020 (City of Bishop 2021). Housing construction in Bishop has slowed significantly in the past several decades and 62 percent of Bishop's housing stock is 50 or more years old, raising concerns over available housing stock for current and future residents as well as the condition of the housing and necessary repairs. Further exacerbating this challenge, the City of Los Angeles Department of Water & Power (LADWP) owns approximately 95.5 percent of the underutilized or undeveloped lots within the study area, which limits development opportunities and highlights the need for increased massing and density standards to accommodate additional residential units and retain the City's existing population (City of Bishop 2014).

The proposed project is intended to address these challenges by encouraging a broader mix of uses in downtown including higher-density and increased housing opportunities, creating a pedestrian-friendly downtown environment with access for alternative modes of transportation, and enhancing the aesthetic appeal of downtown while maintaining its existing small-town character.

3.3 PROJECT OBJECTIVES

Per Section 15124 of the CEQA Guidelines, the City has identified the following goals and objectives for the proposed project:

- Growth Management and Housing:

  - Allow for and encourage a broader mix of uses in downtown, while respecting the existing surroundings, scenery, and views.
  - Establish clear, quantitative standards to ensure that future development that occurs within downtown is consistent with the community's vision.
  - Maximize opportunities for higher-density and increased housing opportunities in the downtown area.

- Mobility Enhancements:
  - Create a pedestrian-friendly environment to direct residents and visitors to downtown businesses.
  - Accommodate alternative transportation modes (e.g., pedestrian, bicycle) to reduce downtown congestion.

- Downtown Character:
  - Enhance the visual and aesthetic appeal of the downtown.
  - Assure that new construction, restoration, and rehabilitation projects are compatible with the character of downtown.

3.4 PROJECT DESCRIPTION

The proposed project is comprised of two parts that work together to achieve the project's goals and objectives as described above: the Downtown Specific Plan and the Mixed-Use Overlay Zone**. Figure 2.2-1** shows the boundaries of the Specific Plan and Mixed-Use Overlay Zone. The Mixed-Use Overlay Zone covers an area of downtown Bishop totaling approximately 94.5 acres and 266 parcels. The Downtown Bishop Specific Plan, not including the area covered by the Mixed-Use Overlay Zone, covers an area of approximately 207.9 acres and 426 parcels.

3.4.1 Downtown Specific Plan

A specific plan is a strategic document that provides guidance to city officials and staff, addresses the community's needs, and links implementing policies of the general plan and individual projects. The development of properties that fall within the boundaries of the specific plan must follow the policies and guidelines as defined within the Plan.

The Downtown Specific Plan (Plan) provides regulations for development, redevelopment, infill, and new land uses within the boundaries of the Plan. The Plan promotes ongoing improvement of the study area as a place where a mix of land uses support and enhance the livability of Downtown Bishop and new and redeveloped buildings define the public realm in a coherent manner. The Plan envisions a downtown area where streets are attractive and safe for pedestrians and cyclists that provides an enhanced public realm with a variety of pedestrian amenities, all while efficiently accommodating the needs of motorists and trucking and providing parking that supports development.

The Development Regulations included in the Plan provide standards for implementing the City's goals to increase housing supply, creating walkable mixed-use districts comprised of beautiful streetscapes, public spaces that are fronted by buildings that accommodate a variety of housing, office, and retail opportunities. These regulations include requirements for building placement, building height, lot size standards, and on-site parking standards for residential and non-residential development. The development regulations also include requirements for outdoor dining for on-site in private parking lots, on-street in parking lanes, and on outdoor patios.

The Specific Plan also includes a set of building design and character guidelines, which require building design to take into consideration the physical context of the street and adjacent buildings as well as their historical and cultural context. This includes requirements for building materials, transparency requirements, orienting buildings toward public streets, and façade colors for storefront and non-storefront buildings, as well as massing, entryway, awning, canopy, and lighting requirements for storefront buildings. The plan also includes guidelines for lighting, amenities, and public art in the public streetscape.

The architectural style guidelines in the Plan are intended to guide property owners and developers in the design of buildings that reflect Bishop's history, culture, and community preferences. They are not prescriptive, but instead are examples of architectural styles found in Bishop, the Sierra Nevada Mountain region, and similar western towns. Architectural styles found in downtown Bishop include Victorian, American craftsman, flat roof commercial, and the art moderne style.

The Specific Plan would be adopted by an ordinance by the City of Bishop City Council. The ordinance would amend the Bishop Zoning Code, Title 17 of the Bishop Municipal Code zoning regulations. Requirements of the zoning code not covered by the newly adopted ordinance would otherwise be applicable to the development within the Specific plan area. If a conflict occurs between a requirement of this ordinance and the Bishop Municipal Code, the provisions of the Specific Plan shall prevail.

3.4.2 Mixed-Use Overlay Zone

A mixed-use overlay establishes additional development standards and guidance for a subset of properties within the specific plan. Bishop's mixed-use overlay is intended to allow greater flexibility for development typologies and uses, especially in higher-density residential development and live-work buildings in appropriate areas of the city. If a property within the Specific Plan's boundaries is designated as part of the mixed-use overlay, the mixed-use standards and requirements supersede those of the specific plan.

The Mixed-Use Overlay (MUO) zoning incorporates the various code requirements for the MUO for use by property owners, developers, citizens, and city staff. The MUO zone is designed to facilitate a variety of uses within the MUO zone, which places a strong emphasis on the relationship of the development to the public realm and to the surrounding neighborhoods. The intent of the MUO is to concentrate density on parcels that front Main Street and Line Street, reduce potential vehicle miles traveled (VMT) impacts resulting from higher density development, protect natural viewsheds through responsive standards that allow for a variety of building forms, and provide regulations that gradually reduce the development density of downtown to the surrounding residential neighborhood. The development standards and guidelines apply to new development, redevelopment, signs, exterior modifications and major renovation projects occurring within the MUO, except as noted in the mixed-use overlay document. If a conflict arises between the MUO and the Municipal Code for a particular development,

the requirements set forth in the MUO shall prevail. Projects involving maintenance or repairs to the interior of a building structure that would not affect exterior appearances or projects involving ordinary maintenance or the replacement of similar or identical materials on an existing building would be exempt from the requirements of the MUO.

The General Development Standards establish common requirements and guidelines for all development within the Overlay area, as well as specific standards for a particular zone and use. The MUO contains two zones which establish a framework for the scale of development that is desired in different locations within the boundaries of the Overlay. The MUO includes a Regulating Plan, which establishes the overall boundaries of the UO, including the Downtown Zone, and the Neighborhood Transition Zone. Each zone includes regulations on building placement, building height, lot size, and density, with additional regulations for parking and landscaping in the Mixed-Use Neighborhood Transition Zone.

3.4.2.1 Mixed-Use Downtown Zone (MUO-DT)

The purpose of the MUO Downtown Zone is to provide opportunities for infill and redevelopment and increase the scale and capacity of buildings on Main Street and E Line Street while promoting the City's traditional "Main Street USA" character. To support this objective, allowable building heights would be increased for structures fronting Main Street and E Line Street. Active uses, such as retail and restaurants, as well as residential uses are desired along both corridors to promote a lively street environment.

In addition to increasing allowable height, the MUO-DT has specific parking needs that need to be addressed due to the constrained built environment and how it relates to potential future development. To create a linkage between parking and development the city would develop a parking impact fee. The intent of the fee is to help encourage walkability and to facilitate a "park and walk" downtown experience for shoppers, visitors, and residents. To help increase the walkability and improve the overall built environment of MUO-DT, the city would use the parking fee to consolidate parking, add wayfinding signage, and improve pedestrian amenities.

3.4.2.2 Mixed-Use Neighborhood Transition Zone (MUO-NT)

The purpose of the Neighborhood Transition Zone is to provide a gradual transition between the denser development desired along Main Street and E Line Street and the adjacent residential neighborhoods. To support this objective, allowable building heights would be reduced to create a gradual reduction (or "step down") towards the surrounding neighborhood and building form becomes more residential in character with the application of the Building Design Guidelines. Uses in this zone would primarily be a mix of commercial and residential compatible with the character of the zone.

3.4.3 Development Scenarios

Three development scenarios have been developed to describe how additional development in downtown Bishop may occur as a result of the proposed project. These scenarios examine high, medium, and low levels of growth over the next 20 years following adoption of the Downtown Bishop Specific Plan and Mixed-Use Overlay Zone. These development scenarios make it possible to develop dwelling unit counts for the projected types and intensity of development under each scenario, with associated population estimates. According to the 2019 American Communities Survey (ACS), in 2019 the average household size in the City of Bishop was 2.25 persons per household. For the purposes of

this analysis, it is assumed that any dwelling units developed as a result of the proposed project would have similar household sizes and that the population would increase by a total of 2.25 persons per dwelling unit developed.

Each of these development scenarios takes into account the number of existing parcels, the type and size of the parcels, existing and projected growth, and the overall recommendations of the Downtown Bishop Specific Plan and Mixed-Use Overlay Zone. The total number of parcels that fall within the Specific Plan Area, excluding the Mixed-Use Overlay Zone, is 426. There is only one parcel totaling 0.74 acre that is vacant and not presently owned by the LADWP and, therefore, considered developable. There are 70 parcels totaling 95.6 acres smaller than 2,000 square feet (sf) which lack the appropriate size to be developed into housing and are therefore excluded from the development scenario population estimates. The Mixed-Use Overlay Zone includes 266 parcels, none of which are vacant and not owned by LADWP. The Mixed-Use Overlay Zone also includes 35 parcels totaling 28.9 acres smaller than 2,000 sf which lack the size to be developed into housing and are therefore excluded from the development scenario population estimates.

For all resource areas evaluated in Chapter 4.0, Environmental Impact Analysis, it is conservatively assumed that the high development scenario would be implemented as a result of the proposed project.

3.4.3.1 High Development Scenario

The high development scenario represents an estimate of the total dwelling unit count if a high level of development were to occur within the project area in the 20 years following implementation of the proposed project. This scenario represents an active development community and a large number of processed applications. Under the high development scenario, it is assumed that 25 percent of all parcels within the Specific Plan Area (not including the area that also falls within the Mixed-Use Overlay Zone) would be developed to include two additional units on each of those parcels. Under this scenario, a total of 213 new dwelling units would be added to the Specific Plan area during the 20 years following project implementation.

It is also assumed that within the Mixed-Use Overlay Zone, which has more potential density due to less restrictive height restrictions, an estimated 30 percent of all parcels would be developed with an additional two residential units per parcel. Under this scenario, a total of 160 new dwelling units would be added to the Mixed-Use Overlay Zone during the 20 years following project implementation.

The total number additional units that may be developed in both the Specific Plan area and Mixed-Use Overlay Zone under the high development scenario is 373 multi-family units. Over the 20-year horizon of the project, this would result in approximately 19 additional units developed per year. Given that the average household size in Bishop is 2.25 persons per household, the total number of residents that this scenario would provide housing for is approximately 840 people.

3.4.3.2 Medium Development Scenario

The medium development scenario represents an estimate of the total dwelling unit count if a medium level of development were to occur within the project area in the 20 years following implementation of the proposed project. This scenario represents an active development community and a moderate number of processed applications. Under the medium development scenario, it is assumed that 15 percent of all parcels within the Specific Plan Area (not including the area that also falls within the

Mixed-Use Overlay Zone) would be developed to include two additional units on each of those parcels. Under this scenario, a total of 128 new dwelling units would be added to the Specific Plan area during the 20 years following project implementation.

It is also assumed that within the Mixed-Use Overlay Zone, which has more potential density due to less restrictive height restrictions, an estimated 25 percent of all parcels would be developed with an additional two residential units per parcel. Under this scenario, a total of 133 new dwelling units would be added to the Mixed-Use Overlay Zone during the 20 years following project implementation.

The total number additional units that may be developed in both the Specific Plan area and Mixed-Use Overlay Zone under the medium development scenario is 261 units. Over the 20-year horizon of the project, this would result in approximately 13 additional units developed per year. Given that the average household size in Bishop is 2.25 persons per household, the total number of residents that this scenario would provide housing for is approximately 588 people.

3.4.3.3 Low Development Scenario

The low development scenario represents an estimate of the total dwelling unit count if a low level of development were to occur within the project area in the 20 years following implementation of the proposed project. This scenario represents low development activity and a low number of processed applications. Under the low development scenario, it is assumed that 5 percent of all parcels within the Specific Plan Area (not including the area that also falls within the Mixed-Use Overlay Zone) would be developed to include two additional units on each of those parcels. Under this scenario, a total of 43 new dwelling units would be added to the Specific Plan area during the 20 years following project implementation.

It is also assumed that within the Mixed-Use Overlay Zone, which has more potential density due to less restrictive height restrictions, an estimated 15 percent of all parcels would be developed with an additional two residential units per parcel. Under this scenario, a total of 80 new dwelling units would be added to the Mixed-Use Overlay Zone during the 20 years following project implementation.

The total number additional units that may be developed in both the Specific Plan area and Mixed-Use Overlay Zone under the low development scenario is 123 units. Over the 20-year horizon of the project, this would result in approximately 6 additional units developed per year. Given that the average household size in Bishop is 2.25 persons per household, the total number of residents that this scenario would provide housing for is approximately 277 people.

3.5 STAKEHOLDER ENGAGEMENT IN PROJECT DEVELOPMENT

The City of Bishop engaged with stakeholders and local residents to develop the project's vision and goals, and to influence development of the Specific Plan and Mixed-Use Overlay. A variety of methods were used to engage community residents and stakeholders throughout the process including interviews, a project website, an online survey and interactive map, virtual workshops, and in-person activities. Three community workshops were hosted and residents and stakeholders were engaged in facilitated and interactive activities designed to inform the planning process. Community members shared their impressions and experiences regarding current conditions related to housing, urban design, and mobility and shared their vision for the future of Downtown Bishop. This input was gathered

through a community survey, stakeholder interviews, and community workshops lead by Alta Planning and Design, Inc.

A community website survey and survey poll questions were developed to gather input from residents on challenges, preferences, and opportunities throughout Downtown Bishop. Respondents reported that they enjoy their time in downtown, but an overwhelming majority (92 percent) of respondents expressed a desire for more outdoor dining options as well as housing (72 percent). When asked about their walking experience, 71 percent of respondents shared that they do not feel safe crossing Main Street. In addition, when asked if truck traffic prevents residents from spending more time in downtown, 52 percent of respondents indicated that it does not prevent them from visiting the downtown area. When asked about parking, 72 percent of residents agreed there is adequate parking downtown.

A second community website survey asked residents about the needs and style preference of Downtown Bishop. When asked to identify Downtown Bishop needs, 25 percent of residents shared that walkable streets and stores (26 percent) are most needed. Residents also viewed housing (19 percent) and places to gather (17 percent) as important additions to downtown. When asked to define Bishop's style, the majority of residents selected Western (36 percent) followed by Historic style (28 percent).

The City convened stakeholders such as public officials, local groups, and government agencies to articulate the needs and challenges of the community. A total of 10 interviews were conducted at the beginning of the planning process to share input on key topics including Main Street, their vision for downtown, housing, and mobility. The following stakeholder groups were interviewed:

- Bishop Chamber of Commerce
- Bishop Unified School District
- Caltrans District 9
- Eastern Sierra Transit
- Inyo County Planning Department
- Inyo County Supervisor – Second District
- Inyo Mono Advocates for Community Action (IMACA)
- Los Angeles Department of Water and Power (LADWP)
- Northern Inyo Healthcare District
- Paiute Tribe

The project's community engagement process also included several community workshops, of which the first two were held on July 22nd and 23rd, 2020 via Zoom web meeting, with a combined total of 75 attendees. The first meeting discussed the existing conditions and street design of Downtown Bishop, and the second focused on urban design and housing. Most community members agreed on key concerns during the course of the two-day workshop. Feedback included lack of facilities for walking and biking on Main Street and adjacent streets, lack of housing, heavy truck traffic, lack of shade and outside furnishings, and the need for coordination of wayfinding signs.

From November 16th through the 20th, 2020, the City conducted an in-person socially-distanced open house to share the draft Downtown Specific Plan Concepts and Mixed-Use Overlay Alternatives for community consideration and input. Project display boards presented various components of the study area under "low," "medium," and "high" intensity alternatives for comparison, conceptual photo

simulations showcased potential outcomes of updated zoning, and various signage typologies and materials were presented for feedback on community preferences. Case studies of cities with similar characteristics to Bishop were also provided to help contextualize concepts and alternatives. A total of 46 preference surveys were completed along with 16 email responses, with more residents stopping by the workshop to learn about the Plan and Mixed-Use Overlay without completing a survey. The majority of feedback received from the public consisted of building height preferences, walkability, and signage preferences. Most residents expressed a desire to have a cohesive design throughout downtown. A few community members suggested establishing an architectural design review board to help maintain the City's character. Other residents also envisioned a pedestrian-friendly downtown where visitors and residents can shop, live, and dine. While community members seemed optimistic about the future, some residents were hesitant about dramatic changes that could impact Bishop's small-town character. Some also shared concerns about existing building vacancies.

A final community workshop was hosted via Zoom on May 20, 2021 and was open to all Bishop residents and stakeholders. This meeting was also the initial scoping meeting for the CEQA process. Twenty-nine participants joined this public workshop. Additional presentations were held by Bishop's City Council via Zoom on May 24, 2021 and by the Bishop Planning Commission on May 25, 2021. These workshops and presentations updated stakeholders on the Specific Plan's key elements, solicited feedback, and answered questions pertaining to the Specific Plan. Following the presentation, workshop participants then joined breakout rooms for follow up discussion and to talk directly with the consultant team. Attendees were able to weigh in on proposed design features, including size and character of development and parking guidelines.

3.6 REQUIRED PERMITS AND APPROVALS

A listing and brief description of the permits and approvals that may be required to implement the proposed project is provided below. Additional permits and approvals may also be required. This environmental document is intended to address the environmental impacts associated with all of the following decision actions and approvals:

3.6.1 City of Bishop

The City of Bishop has the following discretionary powers related to the proposed project:

- **Adoption and certification of the environmental document.** The City Council has authority to determine if the environmental document is adequate under CEQA.

- **Approval of project.** The City Council will consider approval of the project.

3.6.2 Other Agency Required Approvals and Intended Uses of the EIR

- **California Department of Transportation (Caltrans):** An encroachment permit may be required from Caltrans for proposed improvements or development within public right-of-way associated with US Highway 395.

3.7 REFERENCES

City of Bishop. 2021. Draft Downtown Bishop Specific Plan and Mixed-Use Overlay.

https://data.census.gov/cedsci/table?q=bishop,%20ca%20household%20size&tid=ACSST5Y2019.S1101&vintage=2017&layer=state&cid=DP05_0001E

4.0 ENVIRONMENTAL IMPACT ANALYSIS

CHAPTER ORGANIZATION

This chapter of the EIR is made up of 20 sections which evaluate the direct, indirect, and cumulative environmental impacts anticipated from approval of the proposed project. The following sections describe the format of the environmental analysis, significance thresholds, and the methodology of the cumulative impact analysis.

FORMAT OF ENVIRONMENTAL ANALYSIS

This EIR examines all of the environmental issue areas identified in Appendix G of the CEQA Guidelines and through comments received on the NOP and public scoping meetings. The potential environmental impacts of the proposed project are analyzed for potential significant impacts in the following 20 environmental issue areas, which are organized with the listed abbreviations:

- Aesthetics (AES)
- Agriculture and Forestry Resources (AG)
- Air Quality (AQ)
- Biological Resources (BIO)
- Cultural Resources (CUL)
- Energy (ENE)
- Geology and Soils (GEO)
- Greenhouse Gas Emissions (GHG)
- Hazards and Hazardous Materials (HAZ)
- Hydrology and Water Quality (HYD)
- Land Use and Planning (LUP)
- Mineral Resources (MIN)
- Noise (NOI)
- Population and Housing (POP)
- Public Services (PS)
- Recreation (REC)
- Transportation (TRA)
- Tribal Cultural Resources (TCR)
- Utilities and Service Systems (UTL)
- Wildfire (FIRE)

Each environmental impact is addressed in the following format:

- **Regulatory Framework**: A discussion of the federal, State, and local regulations relevant to the proposed project.

- **Existing Conditions**: A discussion of the existing conditions and physical environment of the project parcels, providing a baseline against which the potential impacts of the proposed project can be compared.

- **Significance Thresholds**: A discussion of the thresholds of significance according to the CEQA Guidelines. It explains the quantitative or qualitative standards, performance levels, or criteria used to evaluate the existing setting with and without the proposed project to determine whether the impact is significant.

- **Impact Analysis**: A discussion of the potential impacts from the proposed project and explains why impacts are found to be significant or less than significant prior to mitigation. This subsection also includes a discussion of cumulative impacts related to the proposed project. Impacts and mitigation measures are numbered consecutively within each topical analysis and begin with an acronym or abbreviated reference to the impact section.

SIGNIFICANCE THRESHOLDS

Significance criteria are identified before the impact analysis subsection, under the subsection, "Significance Thresholds." For each impact identified, a level of significance is determined using the following classifications:

- *Potentially Significant* impacts include a description of the circumstances where an established or defined threshold would be exceeded.
- *Less than significant* impacts include effects that are noticeable, but do not exceed established or defined thresholds, or can mitigated below such thresholds.
- *No impact* describes circumstances where there is no adverse impact on the environment.

For each impact identified as being significant, the EIR identifies mitigation measures to reduce, eliminate, or avoid the adverse impact. If one or more mitigation measure(s) would reduce the impact to a less than significant level successfully, this is stated in the EIR. *Significant and unavoidable* impacts are described where mitigation measures would not diminish these impacts to less than significant levels.

CUMULATIVE IMPACT ANALYSIS

CEQA Guidelines Section 15130 requires an EIR to discuss the cumulative impacts of a project when the project's incremental impact is "cumulatively considerable." Used in this context, cumulatively considerable means that the incremental impacts of an individual project are considerable when viewed in connection with the impacts of past projects, the impacts of other current projects, and the impact of probable future projects.

Where the incremental impact of a project is not "cumulatively considerable," a Lead Agency need not consider that impact significant but must briefly describe its basis for concluding that the incremental impact is not cumulatively considerable. Where the cumulative impact caused by the project's incremental impact and the impacts of other reasonably foreseeable projects is not significant, the EIR must briefly indicate why the cumulative impact is not significant.

The cumulative impact discussions in subchapters 4.1 through 4.20 explain the geographic scope of the area affected by each cumulative impact (e.g., immediate project areas, citywide, air or groundwater basin). The geographic area considered for each cumulative impact depends upon the impact that is being analyzed. For example, in assessing aesthetic impacts, the pertinent geographic study area is the area from which a new development can be publicly viewed and may contribute to a significant cumulative visual impact. In assessing macro-scale air quality impacts, on the other hand, all development within the air basin contributes to regional emissions of criteria pollutants, and basin-wide projections of emissions is the best tool for determining the cumulative impact.

CEQA Guidelines Section 15130 permits two different methodologies for completion of the cumulative impact analysis:

- The 'list' approach permits the use of a list of past, present, and probable future projects producing related or cumulative impacts, including projects both within and outside the City; or

- The 'projections' approach allows the use of a summary of projections contained in an adopted plan or related planning document, such as the City's Housing Element, or in an EIR prepared for such a plan. The projections may be supplemented with additional information such as regional modeling.

This analysis is based on a combination of the list and plan/projections approaches. As shown in Table **4-1**, the City has identified nine pending projects in the City at the time that the NOP for this EIR was issued for consideration in the cumulative analysis. See **Figure 4-1** for the locations of the nine pending projects considered in the cumulative analysis in relation to the proposed project.

Table 4-1
CITY OF BISHOP CUMULATIVE PROJECTS LIST

No.	Project Name/Location	Assessor's Parcel Number	Project Type	Project Size (acres)	Status
1	City of Bishop 2021 Housing Element Update Citywide	n/a	Housing Element Update	n/a	IS/ND approved, SCH No. 2021050028
2	Commercial Airline Service at Bishop Airport Bishop Airport, City of Bishop, CA	n/a	Airport Expansion	403 acres	IS/ND/EA approved, SCH No. 2021030132
3	Silverpeaks Affordable Housing Project Corner of Spruce and MacIver streets, Bishop, CA	008-010-41	Residential (72 units)	3 acres	IS/MND approved in 2013; Construction is pending funding
4	Bishop Paiute Tribe Hotel Project 2742 North Sierra Highway, Bishop, CA	011-390-09	Hotel (100 rooms)	77 acres	Tribal Environmental Impact Assessment underway
5	Kingston Subdivision 879 Home Street, Bishop, CA	008-090-02	Residential (12 single-family units; 2 ADUs)	2.75 acres	IS/MND approved, SCH No. 2015071041; Construction 2022
6	Sewer Trunk Replacement Project South of East Line Street between First Street and Poleta Road	008-010-14, -15; 008-260-01,-02,-03	Sewer Line Replacement	1.15 acres	IS/ND approved, SCH No. 2016041025
7	East Line Street Bridge Replacement East Line Street over Bishop Creek Canal	City right-of-way*	Bridge Replacement	680 linear feet	IS/MND underway
8	Bishop Pavement Project Multiple streets within City limits	City/County right-of-way*	Pavement Improvement	3.5 miles	Project approved 8/12/2021; Construction 2024
9	Inyo County Vacant Lands Inventory Project Various parcels adjacent to City limits	008-190-01 008-240-01 008-240-02	Residential (up to 334 units)	14.3 acres	EIR underway; SCH No. 2020110088

Source: City of Bishop.

The following provides a summary of the basis for the cumulative impact analysis for each impact area:

- **Aesthetics:** The cumulative setting for the visual analysis includes areas from which the proposed project could be publicly viewed and the impacts of the proposed project together with other cumulative projects in the City.

- **Agriculture and Forestry Resources:** The cumulative setting for agriculture and forestry resources addresses the impacts of the proposed project and other cumulative projects in the City. Cumulative impacts would occur when a series of projects or developments leads to a loss of agricultural resources, which occurs when agricultural lands are converted to non-agricultural uses.

- **Air Quality:** The cumulative air quality setting is the Great Basin Unified Air Pollution Control District and its anticipated growth.

- **Biological Resources:** The geographic scope of the cumulative analysis for biological resources is the area surrounding the proposed project parcels together with other cumulative projects in the City.

- **Cultural Resources:** Cumulative impacts to cultural resources occur when a series of actions, including the proposed and cumulative projects, leads to the loss of a substantial type of archaeological, historic, or cultural site, building, or resource.

- **Energy:** The cumulative setting for energy includes the electricity and natural gas supplies and facilities in the service areas of both Los Angeles Department of Water & Power (LADWP) and Southern California Edison (SCE).

- **Geology and Soils:** The cumulative analysis for geology, soils, mineral resources, and paleontological resources impacts is generally site-specific and depends on past, present, and future uses and existing soil and conditions.

- **Greenhouse Gas Emissions:** Greenhouse gas (GHG) emissions are inherently a cumulative concern, in that the significance of GHG emissions is determined based on whether such emissions would have a cumulatively considerable impact on global climate change. Although the geographic scope of cumulative impacts related to GHG emissions is global, this analysis focuses on the State, the region, and the proposed project's direct and/or indirect generation or offset of GHG emissions.

- **Hazards and Hazardous Materials:** The cumulative setting for hazards and hazardous materials impacts is generally site-specific and depends on past, present, and future uses and existing soil, sediment, and conditions.

- **Hydrology and Water Quality:** The cumulative analysis for hydrology and water quality considers the impacts of the proposed project when combined with other cumulative projects in the City.

- **Land Use and Planning:** The cumulative analysis for land use and planning considers the impacts of the proposed project when considered along with other cumulative projects in the City.

- **Mineral Resources:** The cumulative analysis for mineral resources considers the impacts of the proposed project when considered along with other cumulative projects in the City.

- **Noise:** The analysis of potential cumulative noise impacts attributable to construction and stationary sources considers the proposed project along with other cumulative projects in the City due to the localized nature of noise impacts. The analysis of cumulative traffic noise levels is based on cumulative traffic conditions.

- **Population and Housing:** The cumulative setting for population and housing considers the impacts of the proposed project along with other cumulative projects in the City.

- **Public Services:** The cumulative setting for public services considers the impacts of the proposed project when considered along with other cumulative projects in the City.

- **Recreation:** The cumulative setting for recreation considers the impacts of the proposed project when considered along with other cumulative projects in the City.

- **Transportation:** The cumulative analysis for transportation, vehicle miles traveled (VMT), and circulation addresses the impact of the proposed project when considered along with other cumulative projects in the City.

- **Tribal Cultural Resources:** Cumulative impacts to tribal cultural resources occur when a series of actions, including the proposed and cumulative projects, leads to the loss of a substantial type of tribal cultural resources.

- **Utilities and Service Systems:** Cumulative impacts are considered in the context of the growth from the proposed project combined with the estimated growth in the service areas of each utility's service area.

- **Wildfire:** The areas considered for cumulative impacts related to wildfire are the State Responsibility Areas (SRA).

4.1 AESTHETICS

This section describes the regulatory framework and existing conditions related to aesthetic resources, evaluates the potential impacts that could occur as a result of implementation of the proposed project, and details mitigation measures needed to reduce significant impacts, as necessary.

4.1.1 Environmental Setting

4.1.1.1 Regulatory Framework

The proposed project is subject to a number of regulations applicable to the protection of visual resources, as well as plans and policies that ensure adequate consideration is given to preserving and/or enhancing the visual qualities of an area.

Federal Regulations

National Forest Scenic Byway System

The National Forest Scenic Byway system, created in 1987, is administered by the US Forest Service (USFS) and consists of 138 National Forest Byways. The goal of the National Forest Scenic Byway system is to enhance rural community tourism by providing access to scenic and historic viewpoints. National Forest Scenic Byways within Inyo County include White Mountain Road and SR 168 (Bishop Creek South Fork and Middle Fork). White Mountain Road is part of the Ancient Bristlecone Scenic Byway and extends from State Route (SR) 168 on the outskirts of Bishop and climbs through pinyon-juniper woodlands in the Inyo National Forest. SR 168 extends west of Bishop along Bishop Creek and through the Inyo National Forest.

State Regulations

California Scenic Highway Program

The California Scenic Highway Program was created in 1963 by legislature to "protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment." The California Scenic Highway Program includes highways designated by the California Department of Transportation (Caltrans) as scenic. The designation of a scenic highway depends on several factors, including the breadth of the landscape that is visible by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon a traveler's enjoyment of the view. The scenic highway designation applies to a specific corridor of the designated highway. The designation provides benefits to scenic resources along the highway, some of which include protection from incompatible uses, mitigation of activities within the designated corridor that detract from the highway's scenic quality, and preservation of hillsides. There are two officially designated or eligible to be designated State scenic highways within or near the City of Bishop city limits, including portions of US Highway 395 and SR 168. A portion of the SR 168 just west of the City of Bishop is officially designated as a State scenic highway, and a portion of the US Highway 395 that runs through the City of Bishop is eligible to be designated as a State scenic highway.

California Building Code

The State of California provides a minimum standard for building design and outdoor lighting standards through Title 24 of the California Code of Regulations. The California Building Code is located in Part 2 of Title 24. The California Building Code is updated every three years, and the current 2019 California Building Code went into effect in January 2020. It is generally adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local conditions.

Local Regulations

City of Bishop General Plan

The City of Bishop's General Plan contains the following goal and policies related to aesthetics (City of Bishop 1993).

- **Goal:** To protect the scenic historic resources within the City and surrounding area.
- **Policies:**
    - Beautification and aesthetic values should be considered in the development and operation of public facilities and uses.
    - The City shall encourage the undergrounding of existing overhead utility lines. The undergrounding of utilities in new construction shall be required to the maximum extent feasible.
    - Trees located along roadways should be preserved or replaced if maintenance requires their removal. Similar landscaping should be considered in conjunction with the development of additional roads.

4.1.1.2 Methodology

Because scenic corridors are a key part of this analysis and because roadways are a publicly accessible location for the local viewshed, the aesthetic analysis generally utilized terminology and steps outlined in the publication, Guidelines for the Visual Impact Assessment of Highway Projects (US Department of Transportation 2015).

The steps outlined below were followed to assess visual impacts:

1. Establish the study area
2. Examine visual quality
3. Analyze impacts on visual quality
4. Determine mitigation and enhancement measures

To analyze the aesthetic impact of the proposed project, a qualitative approach was taken to determine the current visual quality and character of the project site and surrounding areas and to identify any impacts that may result from implementation of the proposed project.

4.1.1.3 Overview of Visual Resources Concepts

Aesthetic/visual resources are defined as the natural and man-made elements and features of the landscape that contribute to the visual character and quality of a setting. Because a viewer observes the visual environment as a whole and not one object at a time, the viewer's perception of that environment is based on the visual character of objects and the relationships between them. Visual character is descriptive; it is the order and combination of patterns that are created by visual elements in a scene. The fundamental pattern elements used to describe visual character are form (in terms of bulk, mass, size, and shape), line, color, and texture, and the appearance of a landscape is described according to the dominance of these elements.

Visual quality is evaluated according to the vividness, intactness, and unity present in the viewshed. These criteria for evaluating visual quality can be defined as follows:

- **Vividness** is the visual power or memorability of landscape components as they combine in distinctive visual patterns.
- **Intactness** is the visual integrity of the natural and man-made landscape and its freedom from encroaching elements.
- **Unity** is the visual coherence and compositional harmony of the landscape considered as a whole.

An individual's perception and enjoyment of a view can vary with each individual. The visual experience of the viewer is a combination of the visual resources in the landscape and the viewer's response to what is seen. Viewer response, or awareness, is composed of two elements: viewer sensitivity and viewer exposure. Viewer sensitivity is defined both as the viewers' concern for scenic quality and the viewers' response to change in the visual resources that make up the view. Viewer exposure is the degree to which viewers are exposed to a view or visual resource. Viewer exposure varies based on the physical location of the viewer and the distance and position of the viewer in relation to the resource, the number of viewers of the resource, and the duration and frequency of the view. A viewer's response is also affected by the degree to which he/she is receptive to the visual details, character, and quality of the surrounding landscape.

Visual Character and Quality

Visual character, visual quality, form, line, texture, and other terms are used throughout this discussion to assess the visual impacts of the proposed project. These terms, as defined by the US Department of Transportation, are briefly discussed below.

Visual Character: The description of the visible attributes of a scene or object typically using artistic terms such as form, line, color, and texture.

Visual Quality: What viewers like and dislike about visual resources that compose the visual character of a particular scene. Different viewers may evaluate specific visual resources differently based on their interests in natural harmony, cultural order, and project coherence. Neighbors and travelers may, in particular, have different opinions on what they like and dislike about a scene. The rating for visual quality is described below:

- High – Views are perceived to be harmonious, orderly, or coherent and desirable visual resources are a dominant component of the view.

- Moderately High – Views may be perceived as largely harmonious, orderly, or coherent. Undesirable visual resources may be present but are few in number. Desirable visual resources are generally present and may be a dominant component of the view.

- Moderate – Views may be perceived as fairly harmonious, orderly, or coherent. Undesirable visual resources may be present but do not dominate the view. Desirable visual resources may also be present.

- Low – Views may be perceived as inharmonious, disorderly, or incoherent and undesirable visual resources are generally present.

Natural Harmony: What viewer likes and dislikes about the natural environment. The viewer labels the visual resources of the natural environment as being either harmonious or inharmonious. Harmony is considered desirable; disharmony is undesirable.

Cultural Order: What a viewer likes and dislikes about the cultural environment. The viewer labels the visual resources of the cultural environment as being either orderly or disorderly. Orderly is considered desirable; disorderly is undesirable.

Viewer Sensitivity: The degree to which viewers are sensitive to changes in the visual character of visual resources. It is the consequence of two factors, viewer exposure and viewer awareness.

Viewer Exposure: Viewer exposure is a measure of proximity (the distance between viewer and the visual resource being viewed), the extent (the number of viewers viewing), and duration (how long a time visual resources are viewed). The greater the exposure, the more viewers will be concerned about visual impacts.

Viewer Awareness: Viewer awareness is a measure of attention (level of observation based on routine and familiarity), focus (level of concentration), and protection (legal and social constraints on the use of visual resource). The greater the attention, the more viewers will be concerned about visual impacts.

Form: The unified mass or shape of an object that often has an edge or outline and can be defined by surrounding space. For example, a high-rise building would have a highly regular, rectangular form, whereas a hill would have an organic, mounded form.

Line: Perceived when there is a change in form, color, or texture, and where the eye generally follows this pathway because of the visual contrast. For example, a city's high-rises can be seen silhouetted against the blue sky and be seen as a skyline, a river can have a curvilinear line as it passes through a landscape, or a hedgerow can create a line where it is juxtaposed against a flat agricultural field.

Texture: The perceived coarseness of a surface that is created by the light and shadow relationship over the surface of an object. For example, a rough surface texture (e.g., a rocky mountainside) would have many facets resulting in a number of areas in light and shadow, and gradual gradations between light and shadow.

Project Coherence: What a viewer likes and dislikes about the project environment. The viewer labels the visual resources of the project environment as being either coherent or incoherent. Coherent is considered desirable; incoherent is undesirable.

Light and Glare

Light pollution refers to all forms of unwanted light in the night sky including glare, light trespass, sky glow, and over-lighting. Views of the night sky can be an important part of the natural environment, particularly in communities surrounded by extensive open space, such as the City of Bishop. Excessive light and glare can also be visually disruptive to humans and nocturnal animal species. Electric lighting also increases night sky brightness and is the human-made source of sky glow. Sky glow is highly variable depending on immediate weather conditions, quantity of dust and gas in the atmosphere, amount of light directed skyward, and the direction from which it is viewed.

4.1.1.4 Existing Conditions

Regional Visual Character

Panoramic views of the surrounding Sierra Nevada and White Mountains, along with the surrounding ranch and open space lands are the dominant scenic features in the Bishop area. Views of the mountains are available from many vantage points within the City. However, within the developed portions of the City, panoramic views tend to be obscured by buildings, trees, and utility wires.

The open agricultural/ranch lands that surround the City are important elements in the scenic imagery of Bishop. Irrigated pasture, tall grass, and grazing cattle under cottonwood trees provide strong character of the area. The deep green of alfalfa fields contrast with the streets, parking lots, and buildings or the dry, brown scrub lands surrounding Bishop. Preservation of both panoramic views and views of adjacent agricultural lands which form the “edge” of urbanized areas is important for the City to retain.

Another similar scenic aspect of the community involves the tree lined roads and lanes of the City. The view while traveling on these roadways reinforces the image of Bishop as a “rural” community. Preservation and/or replacement of the trees that line these roads contribute greatly to the preservation of the scenic qualities of the City’s environmental character (City of Bishop 1993).

Local Visual Character

The visual character of downtown Bishop is largely defined by an eclectic mixture of building types/architectural styles, colorful storefronts and signage, public art, and the high visual quality of the surrounding natural landscape. The varying architectural styles present in downtown Bishop utilize different materials and textures in their building facades. These different materials are often seen side by side when walking downtown. Along Main Street, architectural styles range between western false front facades with smooth wood slats and mid-century modern storefronts constructed with stucco with some structures featuring stone or brick siding.

There are 15 public murals currently featured on the side of buildings and structures in the downtown Bishop area, the majority of which are found along Main Street and West Line Street. The murals, coordinated by the Bishop Mural Society, display the City’s heritage and natural surroundings with historic visual depictions.

Scenic Highways

A portion of the SR 168 just west of the City of Bishop is officially designated as a State scenic highway, and a portion of the US Highway 395 that runs through the City of Bishop is eligible to be designated as a State scenic highway (Caltrans 2021). The 16-mile segment of SR 168 that is officially designated as a State scenic highway runs west of Bishop from Camp Sabrina to Brockman Lane. The 20-mile segment of US Highway 395 that is eligible to be designated as a State scenic highway runs between Fort Independence and Fish Springs Road and cuts through the Owens River Valley with the mountain ridges of the Eastern Sierras as a backdrop to the west. **Figure 4.1-1** shows the portions of SR 168 and US Highway 395 that are designated and/or eligible to be designated as State scenic highways in relation to the project area.

Existing Viewer Sensitivity, Viewer Groups, Viewer Exposure, and Viewer Awareness

The viewer groups in the project vicinity are residents, cyclists, motorists, and recreationists. For residents, viewer sensitivity is high due to their long-term, constant presence in the area and the moderate to high visual quality of the surrounding scenery. It is also presumed that these viewer groups were drawn to the project area, in part, because of the viewshed, although motorists/cyclists may travel the project area's roadways solely to reach a destination and generally experience the scenery in the short-term.

4.1.2 Significance Thresholds

In accordance with Appendix G of the CEQA Guidelines, the proposed project would have significant aesthetic impacts if the project would:

1. Have a substantial adverse effect on a scenic vista;

2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway;

3. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings; and

4. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

4.1.3 Impact Analysis

AES-1 The proposed project would have a substantial adverse effect on a scenic vista.

Scenic vistas are defined as expansive views of highly valued landscapes from publicly accessible viewpoints. Future development under the project would have the potential to affect scenic vistas if new or intensified development blocked views of areas that provide or contribute to such vistas. Potential effects could include blocking views of a scenic vista from such publicly accessible vantage points or the alteration of the overall scenic vista itself. Such alterations could be positive or negative, depending on the characteristics of individual future developments and the subjective perception of observers. Scenic vistas surrounding the City of Bishop include views of the Sierras and White Mountains and expansive ranches and agricultural areas.

Development within the Plan area would be visible from adjacent roadways, and views of the surrounding mountain ranges may be obscured by development within the Plan area as the Plan would allow for a maximum building height of 48 feet. Within the Mixed-use Overlay Zone, pitched roof height above the top of the building and/or ornate facade features would be allowed up to a maximum of three feet above the maximum height of the building (i.e., up to 51 feet). Additionally, dining areas would also be allowed to be located on building rooftops. Although development would occur in close proximity to existing development, where future development would have less impact on scenic vistas, the proposed project would result in increased development intensities and increased building height. Because of the more intense development and increases in proposed building heights, potential new development under the project could block views of the mountains, ridgelines, and other scenic resources from several vantage points.

Although scenic vistas consisting of the mountain ridgeline views in the background would remain visible, views of the scenic vistas could be impeded at several vantage points by future development associated with the proposed project which would result in a substantial adverse effect. No feasible mitigation measures have been identified to reduce the potential impact to a less than significant level. Therefore, the proposed project's impact to the scenic vistas in the Plan area would be significant and unavoidable.

Significance without Mitigation: Significant and unavoidable impact.

No feasible mitigation measures have been identified to reduce the impact to a less than significant level.

AES-2 The proposed project would substantially damage scenic resources such as trees, rock outcroppings, and historic buildings within a State scenic highway.

As noted above, a portion of the SR 168 just west of the City of Bishop is officially designated as a State scenic highway, and a portion of the US Highway 395 that runs through the City of Bishop is eligible to be designated as a State scenic highway. The proposed project would not substantially damage scenic resources such as trees, rock outcroppings, or historic buildings within the officially designated portion of the SR 168. However, implementation of the project would encourage new development and redevelopment along the eligible portion of the US Highway 395 that transects the Plan area. Although the Specific Plan includes design guidelines that are intended to preserve scenic resources in the City, new development and redevelopment that would be allowed within the Plan area may substantially damage or alter scenic resources, such as historic buildings, in the downtown Bishop area along the eligible corridor.

Furthermore, outdoor dining would be permitted within existing on-site parking spaces, on-street public right-of-way parking spaces, and in front of the building's public right-of-way in the Plan area. Dining areas placed within the public right-of-way would require an encroachment permit from the City. Temporary use of sidewalks and parking areas within the State highway right-of-way (US Highway 395/Main Street & SR 168/West Line Street) would require Caltrans review and approval. After the State's Emergency Declaration ends in response to the COVID-19 pandemic, permanent outdoor dining is prohibited by Caltrans along State highway right-of-way.

Therefore, although implementation of the project would establish development and design guidelines that are intended to preserve the quality of existing scenic resources, the portion of the US Highway 395

that transects the Plan area is eligible to be designated as a State scenic highway and may substantially damage or alter scenic resources along the eligible corridor. There are no mitigation measures that would reduce the potential impact to less than significant. Therefore, the proposed project would result in a potentially significant and unavoidable impact.

Significance without Mitigation: Significant and unavoidable impact.

No feasible mitigation measures have been identified to reduce the impact to a less than significant level.

AES-3 The proposed project would substantially degrade the existing visual character or quality of public views of the Plan area and its surroundings in an urbanized area.

As noted above, the visual character of downtown Bishop is largely defined by an eclectic mixture of building types and architectural styles, colorful storefronts and signage, public art, and the high visual quality of the surrounding natural landscape. Preservation of these unique characteristics are important to maintain the City's small-town charm, and the Downtown Specific Plan includes design guidance for facades, signage, and public space improvements that complement the City's character through the creation of a unified design look. The Specific Plan includes a set of building design and character guidelines which require building design to take into consideration the physical context of the street and adjacent buildings as well as their historical and cultural context. This includes requirements for building materials, transparency requirements, orienting buildings toward public streets, and facade colors for storefront and non-storefront buildings, as well as massing, entryway, awning, canopy, and lighting requirements for storefront buildings to be compatible with existing architectural styles and designs in downtown Bishop. The conceptual illustrations below provide a visual representation of the potential possibilities for new development or redevelopment sites in the Plan area.

The architectural style guidelines in the Specific Plan are intended to guide property owners and developers in the design of buildings that reflect Bishop's history, culture, and community preferences. The design guidelines are not prescriptive, but instead are examples of architectural styles found in Bishop, the Sierra Nevada Mountain region, and similar western towns. Architectural styles found in downtown Bishop include Victorian, American craftsman, flat roof commercial, and the art moderne style. The Specific Plan requires that primary building materials for non-storefront buildings consider the regional, local and historical context, the natural environment, and the local culture when selecting exterior materials and components. A brief list of the primary recommended building materials for downtown storefront construction is included as follows: glass, shiplap or clapboard siding, new or used face brick, cut or carved stone, ceramic tile, and stucco. Other materials may be used, such as metal, but must first obtain approval through a City permit. Some materials, like cinderblock, are discouraged.

The Downtown Specific Plan also provides regulations for development, redevelopment, infill, and new land uses within the boundaries of the Plan. The Plan promotes ongoing improvement of the Plan area as a place where a mix of land uses support and enhance the livability of Downtown Bishop, and new and redeveloped buildings define the public realm in a coherent manner. The development regulations include requirements for building placement, building height, lot size standards, and on-site parking standards for residential and non-residential development. The development regulations also include requirements for outdoor dining on-site in private parking lots, on-street in parking lanes, and on outdoor patios or rooftops, and examples are depicted in the conceptual illustrations below.

Rendering 1. View looking west at the intersection of Line Street and Fulton Street showcasing storefront facade, sidewalk, and building improvements.

Rendering 2. Conceptual illustration reimagining the former Bank of America building on Main Street and Grove Street with stepbacks above the first floor that can be incorporated throughout Downtown.

Rendering 3. Conceptual illustration of a redeveloped warehouse space, an example of reuse.

Rendering 4. Conceptual illustration looking northwest at the intersection of Line Street and Fulton Street demonstrating the potential for outdoor dining.

Although building heights would vary, generally, taller buildings are encouraged in the Mixed-use Overlay Downtown District and may be taller than adjacent structures. The Plan notes that roofs are expected to be flat; however, decorative pediments may be sloped and extend above the roofline. Mansard roofs and "radical" roof pitches that are overly prominent or out-of-character are not permitted. In general, rooflines for new development or redevelopment in the Plan area would be consistent with their surroundings but are anticipated to be taller than buildings that currently exist in the City.

Implementation of the proposed project would result in the adoption of the development and design guidelines set forth in the Specific Plan that would encourage new development and redevelopment within the Specific Plan area to be in accordance with the guidelines and create a unified design concept

for the Downtown Specific Plan area. However, development projects in the Plan area would be infill development with potentially taller buildings that could obstruct or alter the quality of public views. As such, concentrating new, higher intensity development in the Mixed-use Overlay District would result in a potentially significant impact.

Depending on the location, size, and type of the proposed development, potential changes that degrade the character or quality of the existing site could be considerable. Although development on each parcel within the Plan area would be required to adhere to the development and design guidelines and regulations set forth in the Plan, the impacts would not be reduced to a less-than significant level. No feasible mitigation measures have been identified, and impacts would be significant and unavoidable.

Significance without Mitigation: Significant and unavoidable impact.

No feasible mitigation measures have been identified to reduce the impact to a less than significant level.

AES-4 The proposed project would create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

The amount of lighting in the City varies between the urban and rural parts of the City. In urbanized areas, light pollution and glare are prominent, while rural and rural transition areas have dark skies with little light pollution from urban areas, making these areas ideal locations for astronomical viewing. An increase in permitted heights and development intensities, as proposed under the project, would result in increases in light and glare throughout the City.

The Downtown Specific Plan requires that exterior lights that are part of a building facade provide adequate lighting levels, but that the level of lighting should be measured at ground level and not adversely impact neighboring residences. Lighting should follow the Joint International Dark-Sky Association & Illuminating Engineering Society Model Outdoor Lighting Ordinance which the City intends to adopt in 2022. Additionally, all rooftop lighting associated with outdoor, rooftop dining must comply with existing lighting City standards and Model Outdoor Lighting Ordinance. All lights must be turned off when the area is not being used.

Development within the Plan area would create new sources of lighting that would include new exterior lighting for security and to illuminate outdoor dining areas and lighting that would originate from the interior of the developments. New sources of glare could include light reflections from vehicles and building materials such as reflective glass and polished surfaces. Glare can create hazards to motorists and be a nuisance for bicyclists and pedestrians and other sensitive viewers. Currently, the specific types of building materials and glass surfaces of the proposed buildings are unknown. In addition, the Downtown Specific Plan includes the following regulations with respect to lighting fixtures proposed within the Plan area:

- All lighting shall comply with The California Building Standards Code (CCR, Title 24) and California Green Building Standards Code (CCR, Title 24, Part 11 - CALGreen).
- All outdoor lighting shall use low-energy, shielded light fixtures which direct light downward and which are fully shielded.
- All outdoor lighting shall be BUG (Backlight, Uplight, and Glare) rated.

- Sky glow can be controlled with “Cap” and/ or “cut-off” optics to be “dark sky” compliant.

Lighting impacts would vary, depending on the location and scale of the development. However, the anticipated increase of building intensity in the Plan area as a result of the project could result in a substantial change to ambient nighttime lighting currently experienced in the City. No feasible mitigation measures have been identified, and the proposed project would result in a significant and unavoidable impact to nighttime lighting and views.

Significance without Mitigation: Significant and unavoidable impact.

No feasible mitigation measures have been identified to reduce the impact to a less than significant level.

4.1.4 Cumulative Impacts

AES-5 The proposed project would result in a significant cumulative impact with respect to aesthetics.

Cumulative impacts would occur when the proposed project, in combination with other projects in the City, would directly or indirectly have a substantial adverse effect on a scenic vista, substantially damage scenic resources, degrade existing character or public views, or create a new source of substantial light or glare. The analysis of cumulative impacts is based on impacts of the proposed project and the other cumulative projects within or surrounding the City as listed in **Table 4-1**, City of Bishop Cumulative Projects List. As discussed above, the proposed project would not have a significant impact on State highway scenic resources, existing visual quality and character of the City, or create a new source of light or glare. However, the project would have a significant and unavoidable impact on scenic vistas.

Several cumulative projects are proposed and/or pending within or surrounding the City of Bishop. Three of the cumulative projects included in this analysis are infrastructure improvement projects (bridge, sewer trunk, and pavement replacement) that would not have long-term aesthetic impacts on the surrounding areas. The remaining cumulative projects are land use planning and residential development projects, one of which is approved and pending construction within the Plan area (Silverpeaks Affordable Housing Project). The cumulative land use planning and residential development projects would be constructed primarily within the existing developed areas of the City and would be designed to be consistent with the existing visual character of these areas to prevent degradation of the visual quality and character of the City. However, development of the land use planning and residential development projects would contribute to impacts to surrounding scenic vistas and lighting and glare within the City of Bishop as development of all the cumulative land use planning and residential development projects, plus the proposed project, would result in the development of approximately 800 residential dwelling units, a hotel with 100 rooms, and increased aircraft activity from the airport expansion project. Therefore, this project, in combination with the projects considered in this cumulative analysis, is anticipated to result in a cumulatively considerable impact on scenic vistas and light and glare impacts, and impacts would be significant and unavoidable.

Significance without Mitigation: Significant and unavoidable impact.

No feasible mitigation measures have been identified to reduce the impact to a less than significant level.

4.1.5 References

California Department of Transportation (Caltrans). 2021. Scenic Highways – List of Eligible and Officially Designated State Scenic Highways. Accessed October 7, 2021 from https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways.

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4.2 AGRICULTURE AND FORESTRY RESOURCES

This section describes the environmental setting and regulatory framework for agriculture and forestry resources and analyzes the potential impacts on agriculture and forestry resources that would result from implementation of the project. The potential effects on agriculture and forestry resources were evaluated according to Appendix G of the CEQA Guidelines to determine their level of significance.

4.2.1 Environmental Setting

4.2.1.1 Regulatory Framework

Federal Regulations

Farmland Protection Policy Act (Public Law 97-98, 7 USC Section 4201)

The Farmland Protection Policy Act (FPPA) is intended to minimize the impact federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses. It assures that to the extent possible federal programs are administered to be compatible with state, local units of government, and private programs and policies to protect farmland. Federal agencies are required to develop and review their policies and procedures to implement the FPPA every two years.

The FPPA does not authorize the federal government to regulate the use of private or non-federal land or, in any way, affect the property rights of owners. Projects are subject to FPPA requirements if they may irreversibly convert farmland (directly or indirectly) to nonagricultural use and are completed by a federal agency, or with assistance from a federal agency.

For the purpose of FPPA, farmland includes prime farmland, unique farmland, and land of statewide or local importance. Farmland subject to FPPA requirements does not have to be currently used for cropland. It can be forest land, pastureland, cropland or other land, but not water or developed land. The Natural Resource Conservation Service (NRCS) uses a land evaluation and site assessment system to establish a farmland conversion impact rating score on proposed sites of federally funded and assisted projects. This score is used as an indicator for the project sponsor to consider alternative sites if the potential adverse impacts on the farmland exceed the recommended allowable level (NRCS 2021).

Federal Land Policy and Management Act

The Federal Land Policy and Management Act (FLPMA) of 1976 was passed to establish policy for managing Bureau of Land Management (BLM)) -administered public lands, including the long-term stability and use of BLM-administered public lands by the livestock industry. The FLPMA authorized 10-year grazing permits and required a 2 year notice of cancellation. The FLPMA also directed grazing advisory boards (formed under the Taylor Grazing Act) to guide the BLM in developing allotment management plans and allocating range betterment funds.

Unlike the Taylor Grazing Act, the FLPMA does not distinguish between grazing permits and leases. In Sections 401 through 403 of the FLPMA, which deals with grazing management on the public lands, the term “permit or lease” appears over 25 times together and never as only “permit” or “lease.” The clear intent of Congress is that BLM’s grazing administration on all public lands be consistent for both permits and leases.

The BLM's grazing regulations were changed in July 1978 to eliminate separate sections addressing administration of Section 3 permits and Section 15 leases. This made the regulations consistent with the language of the FLPMA in that no distinction is made between permits and leases.

BLM's Bishop field office manages 20 allotments within the County. Of those allotments, 19 are actively used. Two are split between Inyo and Mono Counties. BLM's Ridgecrest field office manages 6.5 allotments within the County. All of the allotments are actively being used by cattle leases. One of the allotments is split between Inyo and Mono Counties.

State Regulations

California Department of Conservation, Division of Land Resource Protection

California Public Resources Code Section 21060.1 defines agricultural land for the purposes of assessing environmental impacts using the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP). The Department of Conservation applies the NRCS soil classifications to identify designated agricultural lands. The FMMP was established in 1982 to assess the location, quality, and quantity of agricultural lands and monitor the conversion of these lands. Pursuant to the FMMP, designated agricultural lands are included in Important Farmland Maps used in planning for California's agricultural land resources. No land within Inyo County has been identified as Important Farmland under the FMMP. Because of budget constraints and the lack of published soil surveys, potentially important farmlands in Inyo County have not been identified.

California Land Conservation Act (Williamson Act)

The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, is promulgated in California Government Code Section 51200-51297.4, and is applicable to specific land parcels within the State of California. The Williamson Act enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space uses in return for reduced property tax assessments.

The Williamson Act program is administered by the Department of Conservation in conjunction with local governments, which administer the individual contract arrangements with landowners. The landowner commits the parcel to a 10-year period within which no conversion out of agricultural use is permitted. Each year, the contract automatically renews unless a notice of non-renewal or cancellation is filed. In return, the land is taxed at a rate based on the actual use of the land for agricultural purposes, as opposed to its unrestricted market value. Participation in the Williamson Act program is dependent on County adoption and implementation of the program, and is voluntary for landowners. Inyo County does not currently offer a Williamson Act Program.

California Public Resource Code

The California Public Resources Code governs forestry, forests, and forest resources within the state. "Forest land" is defined by Public Resources Code Section 12220(g) as "land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits." Timberland is defined by Public Resources Code Section 4526 as "land, other than land owned by the federal government..., which is

available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees."

California Government Code

Chapter 6.7 of the California Government Code (Sections 51100–51155) regulates timberlands within the state. A timberland production zone is defined in Section 51104(g) as an area that has been zoned pursuant to Government Code Section 51112 or 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses. In this context, "compatible uses" include any use that "does not significantly detract from the use of the property for, or inhibit, growing and harvesting timber" (Government Code Section 51104(h)).

Local Regulations

Inyo County/Los Angeles Long Term Water Agreement

In 1991, the County and LADWP entered into the Agreement with the overall goal to manage the water resources within Inyo County (LADWP 2010). The Agreement contains vegetation management goals and principles and identifies those areas by classification. One of the primary goals of the Agreement is to manage Owens Valley groundwater and surface water resources to avoid significant decreases in the live cover of groundwater dependent vegetation (management Types B, C, and D), to avoid a change of a significant amount of such vegetation from one management type to vegetation of another management type which precedes it alphabetically, and to avoid other significant adverse effects in Owens Valley. The vegetation conditions documented during the 1984 to 1987 vegetation inventory serve as the base for comparison for determining whether decreases and changes have occurred.

The Agreement provides that groundwater pumping and surface water management would be conducted in a matter that would avoid significant decreases and changes in vegetation from conditions that existing during the 1981-1982 runoff year or significant decreases in water-dependent recreational uses and wildlife habitat. Thus, land owned by LADWP that is currently irrigated or supplied with water will continue to be irrigated or supplied with water in the future. Type E classification is comprised of areas where water is provided to City-owned lands for uses including alfalfa production, pasture, recreation uses, wildlife habitats, livestock, and enhancement/mitigation projects. Approximately 18,830 acres are classified as Type E in the Owens Valley. In accordance with the Agreement, LADWP is committed to supplying these lands with water and converting cultivated lands to non-irrigated land uses may be considered a significant impact as outlined in the Agreement and must be reviewed by the Inyo/Los Angeles Technical Group. Although Type A vegetation would not be affected by groundwater pumping or by changes in surface water management practices, it is monitored for such effects.

1997 Memorandum of Understanding

An MOU was established in 1997 between LADWP, Inyo County, CDFW, SLC, the Sierra Club and the Owens Valley Committee to provide for resolution of conflict over the LORP and other provisions of LADWP's 1991 EIR. The MOU emphasizes the need to maintain sustainable levels of agriculture and livestock grazing in the valley.

Owens Valley Land Management Plan

The Owens Valley Land Management Plan (OVLMP) is a resource management guide for LADWP-owned non-urban lands in Inyo County, excluding the LORP area. The Final OVLMP was released in April 2010. The OVLMP provides a framework for implementing management prescriptions through time, monitoring resources, and adaptively managing changed land and water conditions. A primary aspect of the OVLMP is grazing management aimed at implementing sustainable practices, balancing agricultural needs and other resource needs based on the carrying capacity of the land. Grazing management has been implemented through a series of LADWP-administered grazing leases to private parties.

4.2.1.2 Methodology

4.2.1.3 Existing Conditions

Agriculture is important to the culture, heritage, and economy of the County. Dating back to the late 1800s and due primarily to the extensive rangelands available for grazing, the primary agriculture activity in the County is livestock production, consisting of raising cattle, pack animals (horses, mules, and burros for transporting people and supplies), poultry, and sheep. A lesser amount of acreage of intensive row and field crop agriculture occurs, and irrigated pasturelands are also present within the County. Apiary operations are another small yet consistent agricultural pursuit within the County (Inyo County 2001, as amended). Crop production includes alfalfa hay, irrigated pasture, potatoes, turf, dates and other fruits, and honey (Agricultural Commissioner 2013). Approximately 31,652 acres in Inyo County are designated for agricultural land use in the General Plan (Inyo County 2001, as amended).

4.2.2 Significance Thresholds

accordance with Appendix G of the CEQA Guidelines, the proposed project would have a significant impacts to agriculture and forestry resources if the project would:

1. Result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the FMMP of the California Resources Agency, to nonagricultural use;
2. Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract;
3. Conflict with existing zoning for, or cause rezoning of forest land (as defined in California Public Resources Code section 12220 (g)), timberland (as defined by California Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104[g]);
4. Result in the loss of forest land or conversion of forest land to non-forest use;
5. Other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use.

4.2.3 Impact Analysis

AG-1 The proposed project would not convert Important Farmland to nonagricultural use; conflict with existing zoning for agricultural use or with a Williamson Act contract; conflict with existing zoning of forest land, timberland, or timberland zoned Timberland Production; result in

the loss of farmland to nonagricultural use or conversion of forest land to non-forest use.

The portion of the City of Bishop included in the Specific Plan and Mixed-Use Overlay does not contain any parcels that include Important Farmland, are within a Williamson Act contract, are on forest or timberland, or would convert forest land. Furthermore, none of the parcels that would be affected by the proposed project are currently in agricultural production or zoned for agricultural use. As discussed in Section 2.3 General Plan and Zoning Designations, the General Plan land use designations in the affected area include General Commercial, Parks and Open Space, Heavy Commercial, High Density Residential, Medium High Density Residential, and Medium Density Residential. The zoning designations for the affected area includes General Commercial and Retail, General Commercial, Single-family Residential, Medium High Density Residential, Medium High Density Residential and/or Professional and Administrative Office, Multiple Residential District, and Multiple Residential and/or Professional and Administrative Offices. There are no parcels designated for, zoned for, or in agricultural use within the boundaries of the Downtown Bishop Specific Plan and Mixed-Use Overlay. The implementation of the Specific Plan and overlay would not convert existing farmland, forest land, or timberland to non-agricultural or non-forest uses. Therefore, there would be no impact.

Significance without Mitigation: No impact.

AG-2 The proposed project would not convert Important Farmland to nonagricultural use.

According to the FMMP of the California Resources Agency, the area of Bishop that would be affected by the Downtown Bishop Specific Plan and Mixed-Use Overlay does not contain any parcels designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (California Department of Conservation 2016). Therefore, the proposed project would not convert any parcels designated as important farmland to non-agricultural use and there would be no impact.

Significance without Mitigation: No impact.

AG-3 The proposed project would not conflict with existing zoning for agricultural use or with a Williamson Act contract.

According to the Department of Conservation, Inyo County does not offer Williamson Act contracts and therefore none of the parcels included in the proposed project are under Williamson Act contract (California Department of Conservation 2019). None of the parcels included in the proposed project are currently in agricultural production and as shown in Figure 4.11-1 Existing Land Use and Zoning, the Downtown Bishop Specific Plan and Mixed-Use Overlay does not include land zoned for agricultural use or designated for agricultural use under the General Plan. The proposed project would not conflict with existing zoning for agricultural use or with a Williamson Act contract. Therefore, there would be no impact.

Significance without Mitigation: No impact.

AG-4 The proposed project would not conflict with existing zoning of forest land, timberland, or timberland zoned Timberland Production.

As shown in **Figure 4.11-1** Existing Land Use and Zoning, none of the parcels included in the proposed project are zoned for forest land, timberland, or timberland production. Therefore the proposed project would not convert existing forest land or timberland to non-forest uses and there would be no impact.

Significance without Mitigation: No impact.

AG-5 The proposed project would not result in the loss of farmland to nonagricultural use or conversion of forest land to non-forest use.

As discussed in Impacts AG-1 through AG-3, the parcels included in the proposed project are not currently used or zoned, designated, or used for agricultural or forest use. Therefore, the proposed project would not convert agricultural or forest land to non-agricultural or non-forest uses and there would be no impact.

Significance without Mitigation: No impact.

4.2.4 Cumulative Impacts

AG-6 The proposed project would not result in a significant cumulative impact with respect to agriculture and forestry resources.

Cumulative impacts would occur when the proposed project, in combination with other projects in the City of Bishop, would directly or indirectly result in the conversion of Important Farmland to nonagricultural use, conflict with existing zoning for agricultural or forest use, or result in the loss of agricultural or forest land to non-agricultural or non-forest uses. The analysis of cumulative impacts is based on impacts of the proposed project and other cumulative projects in the City.

As discussed above, the proposed project is not located on land zoned for or involved in the production of agriculture or timber, and therefore the proposed project would have no impact and would not contribute to a potential cumulative impact to these resources. Therefore, no cumulatively considerable impact associated with land use plans and/or policies would occur with approval of the proposed project.

Significance without Mitigation: No impact.

4.2.5 References

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Natural Resources Conservation Service (NRCS). 2021. Farmland Protection Policy Act: Background and Purpose. Accessed July 8, 2021 and available at: http://www.nrcs.usda.gov/wps/portal/nrcs/detail//?cid=nrcs143_008275.

4.3 Air Quality

This section describes the regulatory framework and existing conditions related to air quality in the vicinity of the proposed project, evaluates the potential air quality impacts that could occur as a result of implementation of the proposed project, and details mitigation measures needed to reduce significant impacts, as necessary.

4.3.1 Environmental Setting

The project is located in the City of Bishop in Inyo County, which is part of the Great Basin Valleys Air Basin (Basin). The Basin is named for its geological formation of valleys surrounded by mountains. Air rises and sinks in the Basin due to the heat in the valleys and height of the mountains that causes the air and its pollutants to settle in the valleys and basins. Air quality in the Basin is regulated by the US Environmental Protection Agency (USEPA) at the federal level, by the California Air Resources Board (CARB) at the State level, and by the Great Basin Unified Air Pollution Control District (GBUACPD) at the regional level.

4.3.1.1 Air Pollutant Descriptors and Terminology

Criteria pollutants are defined by State and federal law as a risk to the health and welfare of the general public. In general, criteria air pollutants include the following compounds:

- Ozone (O_3)
- Carbon monoxide (CO)
- Nitrogen dioxide (NO_2)
- Particulate matter (PM), which is further subdivided:
  - Coarse PM, 10 micrometers or less in diameter (PM_{10})
  - Fine PM, 2.5 micrometers or less in diameter ($PM_{2.5}$)
- Sulfur dioxide (SO_2)
- Lead (Pb)

Criteria pollutants can be emitted directly from sources (primary pollutants; e.g., CO, SO_2, PM_{10}, $PM_{2.5}$, and lead), or they may be formed through chemical and photochemical reactions of precursor pollutants in the atmosphere (secondary pollutants; e.g., ozone, NO_2, PM_{10}, and $PM_{2.5}$). PM_{10} and $PM_{2.5}$ can be both primary and secondary pollutants. The principal precursor pollutants of concern are reactive organic gases ([ROGs] also known as volatile organic compounds [VOCs])[1] and nitrogen oxides (NO_X).

The descriptions of sources and general health effects for each of the criteria air pollutants are shown in **Table 4.3-1**, based on information provided by the California Air Pollution Control Officers Association ([CAPCOA] 2022). Specific adverse health effects on individuals or population groups induced by criteria pollutant emissions are highly dependent on a multitude of interconnected variables such as cumulative concentrations, local meteorology and atmospheric conditions, and the number and characteristics of

[1] CARB defines and uses the term ROGs while the USEPA defines and uses the term VOCs. The compounds included in the lists of ROGs and VOCs and the methods of calculation are slightly different. However, for the purposes of estimating criteria pollutant precursor emissions, the two terms are often used interchangeably.

exposed individuals (e.g., age, gender). Criteria pollutant precursors (ROG and NO_X) affect air quality on a regional scale, typically after significant delay and distance from the pollutant source emissions. Health effects related to ozone and NO_2 are, therefore, the product of emissions generated by numerous sources throughout a region. Emissions of criteria pollutants from vehicles traveling to or from the project site (mobile emissions) are distributed nonuniformly in location and time throughout the region, wherever the vehicles may travel. As such, specific health effects from these criteria pollutant emissions cannot be meaningfully correlated to the incremental contribution from the project.

Table 4.3-1
SUMMARY OF COMMON SOURCES AND HUMAN HEALTH EFFECTS OF CRITERIA AIR POLLUTANTS

Pollutant	Major Man-Made Sources	Human Health Effects
Carbon Monoxide (CO)	An odorless, colorless gas formed when carbon in fuel is not burned completely; a component of motor vehicle exhaust.	Reduces the ability of blood to deliver oxygen to vital tissues, affecting the cardiovascular and nervous system. Impairs vision, causes dizziness, and can lead to unconsciousness or death.
Nitrogen Dioxide (NO_2)	A reddish-brown gas formed during fuel combustion for motor vehicles and industrial sources. Sources include motor vehicles, electric utilities, and other sources that burn fuel.	Respiratory irritant; aggravates lung and heart problems. Precursor to ozone and acid rain. Contributes to climate change and nutrient overloading, which deteriorates water quality. Causes brown discoloration of the atmosphere.
Ozone (O_3)	Formed by a chemical reaction between reactive organic gases (ROGs) and nitrogen oxides (NO_X) in the presence of sunlight. Common sources of these precursor pollutants include motor vehicle exhaust, industrial emissions, gasoline storage and transport, solvents, paints, and landfills.	Irritates and causes inflammation of the mucous membranes and lung airways; causes wheezing, coughing, and pain when inhaling deeply; decreases lung capacity; aggravates lung and heart problems. Damages plants; reduces crop yield. Damages rubber, some textiles and dyes.
Particulate Matter (PM_{10} and $PM_{2.5}$)	Produced by power plants, steel mills, chemical plants, unpaved roads and parking lots, wood-burning stoves and fireplaces, automobiles, and other sources.	Increased respiratory symptoms, such as irritation of the airways, coughing, or difficulty breathing; aggravated asthma; development of chronic bronchitis; irregular heartbeat; nonfatal heart attacks; and premature death in people with heart or lung disease. Impairs visibility (haze).
Sulfur Dioxide (SO_2)	A colorless, nonflammable gas formed when fuel containing sulfur is burned, when gasoline is extracted from oil, or when metal is extracted from ore. Examples are petroleum refineries, cement manufacturing, metal processing facilities, locomotives, and ships.	Respiratory irritant. Aggravates lung and heart problems. In the presence of moisture and oxygen, sulfur dioxide converts to sulfuric acid, which can damage marble, iron and steel. Damages crops and natural vegetation. Impairs visibility. Precursor to acid rain.
Lead	Metallic element emitted from metal refineries, smelters, battery manufacturers, iron and steel producers, use of leaded fuels by racing and aircraft industries.	Anemia, high blood pressure, brain and kidney damage, neurological disorders, cancer, lowered IQ. Affects animals, plants, and aquatic ecosystems.

Source: CAPCOA 2022.

4.3.1.2 Toxic Air Contaminants

Toxic air contaminants (TAC) are a diverse group of air pollutants that may cause or contribute to an increase in deaths or in serious illness, or that may pose a present or potential hazard to human health. TACs can cause long-term health effects such as cancer, birth defects, neurological damage, asthma, bronchitis, or genetic damage, or short-term acute effects such as eye watering, respiratory irritation (a cough), runny nose, throat pain, and headaches. TACs may be carcinogenic or noncarcinogenic based on the nature of the health effects associated with exposure to the pollutant. For carcinogenic TACs, there is no level of exposure that is considered safe, and impacts are evaluated in terms of overall relative risk expressed as excess cancer cases per one million exposed individuals. Noncarcinogenic TACs differ in that there is generally assumed to be a safe level of exposure below which no negative health impact is believed to occur. These levels are determined on a pollutant-by-pollutant basis.

Diesel engines emit a complex mixture of air pollutants, including both gaseous and solid material. The solid material in diesel exhaust is referred to as diesel particulate matter (DPM). Almost all DPM is 10 microns or less in diameter, and 90 percent of DPM is less than 2.5 microns in diameter (CARB 2022a). Because of their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lung. In 1998, CARB identified DPM as a TAC based on published evidence of a relationship between diesel exhaust exposure and lung cancer and other adverse health effects. DPM has a notable effect on California's population—it is estimated that about 70 percent of total known cancer risk related to air toxics in California is attributable to DPM (CARB 2022a).

4.3.1.3 Regulatory Framework

Federal Regulations

Clean Air Act

Air quality is defined by ambient air concentrations of specific pollutants identified by the USEPA to be of concern with respect to the health and welfare of the general public. The USEPA is responsible for enforcing the Federal Clean Air Act (CAA) of 1970 and its 1977 and 1990 Amendments. The CAA required the USEPA to establish National Ambient Air Quality Standards (NAAQS), which identify concentrations of pollutants in the ambient air below which no adverse effects on the public health and welfare are anticipated. In response, the USEPA established both primary and secondary standards for several criteria pollutants, which are introduced above. **Table 4.3-2** shows the federal and State ambient air quality standards (AAQS) for these pollutants.

The CAA allows states to adopt ambient air quality standards and other regulations provided they are at least as stringent as federal standards. Areas that do not meet the NAAQS for a particular pollutant are considered to be "nonattainment areas" for that pollutant. The area air quality attainment status of the Basin, including the City of Bishop, is shown in **Table 4.3-3**. The Basin is currently in nonattainment for federal and State PM_{10} standards. The Basin is in State nonattainment for ozone (1-hour and 8-hour) standards. Concentrations of all other pollutants meet State and federal standards.

Table 4.3-2
AMBIENT AIR QUALITY STANDARDS

Pollutant	Averaging Time	California Standards	Federal Standards	Federal Standards
			Primary[1]	Secondary[2]
O_3	1 Hour	0.09 ppm (180 µg/m^3)	–	–
	8 Hour	0.070 ppm (137 µg/m^3)	0.070 ppm (137 µg/m^3)	Same as Primary
PM_{10}	24 Hour	50 µg/m^3	150 µg/m^3	Same as Primary
	AAM	20 µg/m^3	–	Same as Primary
$PM_{2.5}$	24 Hour	–	35 µg/m^3	Same as Primary
	AAM	12 µg/m^3	12.0 µg/m^3	15.0 µg/m^3
CO	1 Hour	20 ppm (23 mg/m^3)	35 ppm (40 mg/m^3)	–
	8 Hour	9.0 ppm (10 mg/m^3)	9 ppm (10 mg/m^3)	–
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m^3)	–	–
NO_2	1 Hour	0.18 ppm (339 µg/m^3)	100 ppb (188 µg/m^3)	–
	AAM	0.030 ppm (57 µg/m^3)	0.053 ppm (100 µg/m^3)	Same as Primary
SO_2	1 Hour	0.25 ppm (655 µg/m^3)	75 ppb (196 µg/m^3)	–
	3 Hour	–	–	0.5 ppm (1,300 µg/m^3)
	24 Hour	0.04 ppm (105 µg/m^3)	–	–
Lead	30-day Avg.	1.5 µg/m^3	–	–
	Calendar Quarter	–	1.5 µg/m^3	Same as Primary
	Rolling 3-month Avg.	–	0.15 µg/m^3	
Visibility Reducing Particles	8 Hour	Extinction coefficient of 0.23 per km – visibility ≥ 10 miles (0.07 per km – ≥30 miles for Lake Tahoe)	**No Federal Standards**	
Sulfates	24 Hour	25 µg/m^3		
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m^3)		
Vinyl Chloride	24 Hour	0.01 ppm (26 µg/m^3)		

Source: CARB 2016.

[1] National Primary Standards: The levels of air quality necessary, within an adequate margin of safety, to protect the public health.

[2] National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

[3]. O_3: ozone; ppm: parts per million; µg/m^3: micrograms per cubic meter; PM_{10}: large particulate matter; AAM: Annual Arithmetic Mean; $PM_{2.5}$: fine particulate matter; CO: carbon monoxide; mg/m^3: milligrams per cubic meter; NO_2 nitrogen dioxide; SO_2: sulfur dioxide; km: kilometer; –: No Standard.

Table 4.3-3
GREAT BASIN VALLEYS AIR BASIN ATTAINMENT STATUS

Pollutant	State of California Attainment Status	Federal Attainment Status
Ozone (1-hour)	Nonattainment	No Federal Standard
Ozone (8-hour)	Nonattainment	Attainment/Unclassified
Suspended Particulate Matter (PM_{10})	Nonattainment	Nonattainment*
Fine Particulate Matter ($PM_{2.5}$)	Attainment	Attainment/Unclassified
Carbon Monoxide (CO)	Attainment	Attainment/Unclassified
Nitrogen Dioxide ($N0_2$)	Attainment	Attainment/Unclassified
Lead	Attainment	Attainment/Unclassified
Sulfur Dioxide (SO_2)	Attainment	Attainment/Unclassified
Sulfates	Attainment	No Federal Standard
Hydrogen Sulfide	Attainment	No Federal Standard
Visibility Reducing Particles	Unclassified	No Federal Standard

Sources: CARB 2020, 2018b.
*Nonattainment area is the Owens Valley PM_{10} Planning Area.

State Regulations

California Clean Air Act

CARB has established the more stringent California Ambient Air Quality Standards (CAAQS) for the seven criteria air pollutants listed above through the California CAA of 1988, and has also established CAAQS for additional pollutants, including sulfates, hydrogen sulfide (H_2S), vinyl chloride and visibility-reducing particles (**Table 4.3-2**). Areas that do not meet the CAAQS for a particular pollutant are considered to be "nonattainment areas" for that pollutant. The Basin is currently classified as a nonattainment area under the CAAQS for ozone (1-hour and 8-hour) and PM_{10}. The current State attainment status for the Basin is provided in **Table 4.3-3**.

CARB is the State regulatory agency with the authority to enforce regulations to both achieve and maintain the NAAQS and CAAQS. The Basin is responsible for developing and implementing the rules and regulations designed to attain the NAAQS and CAAQS, as well as the permitting of new or modified sources, developing of air quality management plans, and adopting and enforcing air pollution regulations within the Basin.

State Implementation Plan

The CAA requires areas with unhealthy levels of ozone, inhalable particulate matter, carbon monoxide, nitrogen dioxide, and sulfur dioxide to develop plans, known as State Implementation Plans (SIP). SIPs are comprehensive plans that describe how an area will attain the NAAQS. The 1990 amendments to the CAA set deadlines for attainment based on the severity of an area's air pollution problem.

SIPs are not single documents—they are a compilation of new and previously submitted plans, programs (e.g., monitoring, modeling, permitting), district rules, State regulations and federal controls. Many of California's SIPs rely on a core set of control strategies, including emission standards for cars and heavy trucks, fuel regulations and limits on emissions from consumer products. State law makes CARB the lead agency for all purposes related to the SIP. Local air districts and other agencies prepare SIP elements and

submit them to CARB for review and approval. CARB forwards the SIP revisions to the USEPA for approval and publication in the Federal Register. The CFR Title 40, Chapter I, Part 52, Subpart F, Section 52.220 lists all of the items that are included in the California SIP. At any one time, several California submittals are pending USEPA approval (CARB 2022b).

California Energy Code

The California Code of Regulations (CCR), Title 24, Part 6 is the California Energy Efficiency Standards for Residential and Nonresidential Buildings (also known as the California Energy Code). Future buildings associated with implementation of the project would be required to be designed to meet applicable the Title 24 energy efficiency standards in effect at the time of construction, including (but not limited to): insulation of conditioned spaced; lighting energy efficiency; appliance energy efficiency; and plumbing fixture water efficiency.

Toxic Air Contaminants

The Health and Safety Code (§39655, subd. (a)) defines a TAC as "an air pollutant which may cause or contribute to an increase in mortality or in serious illness, or which may pose a present or potential hazard to human health." A substance that is listed as a hazardous air pollutant pursuant to subsection (b) of Section 112 of the CAA (42 US Code Sec. 7412[b]) is a TAC. Under State law, the California Environmental Protection Agency (CalEPA), acting through CARB, is authorized to identify a substance as a TAC if it determines the substance is an air pollutant that may cause or contribute to an increase in mortality or an increase in serious illness, or that may pose a present or potential hazard to human health.

Regional and Local Regulations

Great Basin Unified Air Pollution Control District (GBUAPCD)

The GBUAPCD enforces regulations and administers permits governing stationary sources by limiting emissions of criteria air pollutants and TACs. The GBUAPCD has adopted rules and regulations that regulate visible emissions, nuisance emissions, and fugitive dust emissions. The following rules would apply to the project:

- **Rules 401. Fugitive Dust:** requires reasonable precautions to prevent visible particulate matter from being airborne, under normal wind conditions, beyond the property line from which the emission originates. Reasonable precautions include, but are not limited to, the use of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land (GBUAPCD 2006).

- **Rule 402. Nuisance:** . prohibits a person from discharging from any source whatsoever, such quantities of air contaminants or other materials which may cause injury, detriment, nuisance or annoyance, or damage to any public property or considerable number of persons or to the public or which endanger the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property (GPUAPCD 1974).

- **Rule 431**. Particulate Matter Emissions: stipulates that, after January 1, 2007, no solid fuel burning appliance [e.g., wood burning fireplaces, wood burning stoves] shall be permitted to be

sold or installed within District boundaries unless said device is certified as meeting the emission requirements of the USEPA for Phase II certification. The restrictions of this rule shall apply to all solid fuel devices including unregulated fireplaces (GBUAPCD 2014).

Regional Comprehensive Plan

The Basin is identified as an Isolated Rural area, which means that its emissions are not part of an emissions analysis of any metropolitan planning area or plan. Thus, there is no regional plan to guide growth and transportation in the area.

City of Bishop General Plan

Air Quality is addressed within the Conservation and Open Space Element of the General Plan. The Conservation and Open Space Element contains: a goal to preserve the existing air quality of the Bishop area; a policy to require that CEQA environmental review processes shall be utilized for all new development projects to identify and mitigate the potentially significant impacts to the City's natural resources; and an action by the City to condition projects to address air quality measures (City of Bishop 1993).

4.3.1.4 Existing Conditions

The City of Bishop is located in Inyo County's Owens Valley, east of the Sierra Nevada Mountain range and west of the White Mountains. Bishop is the only incorporated city within Inyo County. The City is located within the Great Basin region of the United States which is noted for its arid climate and basin and range topography. This area is characterized by broad valleys traversed by streams, rivers, and washes, giving rise to mountain ranges of low hills and jagged peaks.

Climate

The variable climate of the Basin is determined by its diverse terrain and geographic location. The climate of the region is greatly influenced by the Sierra Nevada and is generally semi-arid to arid, characterized by low precipitation, abundant sunshine, frequent winds, moderate to low humidity, and high potential for evapotranspiration.

The average minimum winter temperature is in the low- to mid-20 degrees Fahrenheit (°F), while the average maximum summer temperature is in the mid- to high-90°F. Most precipitation occurs between November and February. Spring is the windiest season, with fast-moving northerly weather fronts. During the day, southerly winds result from the strong solar heating of the nearby mountain slopes, causing upslope circulation. Summer winds are northerly at night as a result of cool air draining from higher to lower elevations (WRCC 2016).

Existing Air Quality

Criteria air pollutant concentrations are currently measured at 15 monitoring stations in the Basin. The nearest monitoring station with data representative of the project area is the Bishop-Line station located at 3000 East Line Street in Bishop. The Bishop-Line station monitors ozone, PM_{10}, and $PM_{2.5}$. **Table 4.3-4** shows pollutant levels at the Bishop-Line station. There are no monitoring stations in Inyo County with data for nitrogen dioxide.

Table 4.3-4
AIR QUALITY MONITORING DATA

Pollutant Standard	2018	2019	2020
Ozone (O_3) – Bishop-Line			
Maximum 1-hour concentration (ppm)	0.083	0.069	0.079
Days above 1-hour State standard (0.08 ppm)	0	0	0
Maximum 8-hour concentration (ppm)	0.075	0.065	0.073
Days above 8-hour State standard (0.070 ppm)	7	0	1
Days above 8-hour federal standard (0.070 ppm)	6	0	1
Fine Particulate Matter ($PM_{2.5}$) – Bishop-Line			
Maximum 24-hour concentration (μg/m^3)	247.4	98.9	196.9
Measured Days above federal standard (35 μg/m^3)	9	3	28
Particulate Matter (PM_{10}) – Bishop-Line			
Maximum 24-hour concentration (μg/m^3)	259.0	456.0	134.0
Measured Days above State 1-hour standard (50	5	3	7

Source: CARB 2021a.
ppb = parts per billion; ppm = parts per million; μg/m3 = micrograms per cubic meter.

Sensitive Receptors

CARB and the Office of Environmental Health Hazard Assessment (OEHHA) have identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, infants (including in utero in the third trimester of pregnancy), and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis (CARB 2005; OEHHA 2015). Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved and are referred to as sensitive receptors. Examples of these sensitive receptors are residences, schools, hospitals, and daycare centers.

There are multiple sensitive receptors within the Specific Plan area including single- and multi-family residences, the Bishop Grammar School, the County School House Pre School, and the Discovery Point Pre School.

4.3.2 Methodology

Criteria pollutant and precursor emissions for the project remediation and construction activities, and long-term operation were calculated using the California Emissions Estimator Model (CalEEMod), Version 2020.4.0. CalEEMod is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant emissions associated with both construction and operations from a variety of land use projects. The model was developed for the CAPCOA in collaboration with the California air districts. CalEEMod allows for the use of default data (e.g., emission factors, trip lengths, meteorology, source inventory) provided by the various California air districts to account for local requirements and conditions, and/or user-defined inputs. The model calculates emissions of CO, PM_{10}, $PM_{2.5}$, SO_2, and the ozone precursors ROGs and NO_X. The calculation methodology and input data used in CalEEMod can be found in the CalEEMod User's Guide Appendices A, D, and E (CAPCOA 2021). The input data and subsequent construction and operation emission estimates for the project are discussed below. CalEEMod output files for the project are included in **Appendix D** to this EIR.

Construction Emissions

Construction emissions were estimated based on a conservative development timeline of the high development scenario, which assumes up to 19 DU could be constructed each year for 20 years until the maximum anticipated buildout of 373 multi-family units is achieved. Construction could commence as early as January 2023. Construction was modeled for the first anticipated year of construction (2023). The quantity, duration, and intensity of construction activity influence the amount of construction emissions and related pollutant concentrations that occur at any one time. As such, the emission forecasts provided herein reflect a specific set of conservative assumptions based on the expected construction scenario wherein a relatively large amount of construction activity is occurring in a relatively intensive manner. Because of this conservative assumption, actual emissions could be less than those forecasted. Construction during subsequent years of the project buildout, or construction of less than 19 DU per year, would result in lower emissions because of (1) a more modern and cleaner-burning construction equipment fleet mix than assumed in CalEEMod, and/or (2) a less intensive buildout schedule (i.e., fewer daily emissions occurring over a longer time interval).

Development of the proposed project would result in a temporary addition of pollutants to the local airshed caused by soil disturbance, dust emissions, and combustion pollutants from on-site construction equipment and off-site trucks hauling construction materials, including water to the site. Construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of operation and, for dust, the prevailing weather conditions. Fugitive dust emissions would primarily result from site preparation and grading activities. Best management practices for the control of fugitive dust would be implemented to meet the requirements of GBUAPCD Rule 401. The modeling accounts for watering exposed areas a minimum of twice per day. NO_X and CO emissions would primarily result from the use of construction equipment and motor vehicles. VOC emissions would result primarily from the application of architectural coatings (e.g., painting).

Construction input data for CalEEMod include, but are not limited to, (1) the anticipated start and finish dates of construction activity; (2) inventories of construction equipment to be used; (3) areas to be excavated and graded; and (4) volumes of materials to be exported from and imported to the project area. The analysis assessed maximum daily emissions from individual construction activities, including demolition, site preparation, grading, building construction, paving, and architectural coating. Construction would require heavy equipment during site preparation, grading, building construction, and paving. Construction equipment estimates are based on CalEEMod defaults. The modeled construction equipment for each activity is shown in **Table 4.3-5**.

Construction traffic would primarily include the delivery of construction equipment, vehicles, and materials including concrete, water, and daily construction worker trips. Equipment, materials, and labor would likely come from the City of Bishop or Inyo County area; however, it is possible that some equipment, materials, and labor would need to come from outside areas due to the rural nature of Inyo County. Emissions would vary based on the length of travel, with higher emissions associated with longer trips. Construction activities would be temporary and short-term in nature and would vary day to day depending on the nature or phase of construction (e.g., site preparation, grading and excavation, building construction).

Table 4.3-5
CONSTRUCTION EQUIPMENT ASSUMPTIONS

Equipment	Horsepower	Number	Hours per Day
Demolition			
Concrete/Industrial Saws	81	1	8
Rubber tired Dozers	547	1	8
Tractors/Loaders/Backhoes	97	3	8
Site Preparation			
Graders	187	1	8
Rubber Tired Dozers	247	1	8
Tractors/Loaders/Backhoes	97	1	8
Grading			
Graders	187	1	8
Rubber Tired Dozers	247	1	8
Tractors/Loaders/Backhoes	97	2	8
Building Construction			
Cranes	231	1	6
Forklifts	89	1	6
Generator Sets	84	1	8
Tractors/Loaders/Backhoes	97	1	6
Welders	46	3	8
Paving			
Cement and Mortar Mixers	9	1	6
Pavers	130	1	6
Paving Equipment	132	1	8
Rollers	80	1	7
Tractors/Loaders/Backhoes	97	1	8
Architectural Coating			
Air Compressors	78	1	6

Source: CalEEMod (output data is provided in Appendix D).

~~Co~~Operation Emissions

The project land uses were modeled as: 393 low rise apartments with a default floor space of 1,000 square feet each. To be conservative in accounting for the maximum potential operational emissions, all residential units were modeled as operational in the first year of project operations (2024). Subsequent years of operation would have emissions lower than modeled due to implementation of progressively more stringent vehicle emissions regulations. The operational emissions modeling assumes compliance with GBUAPCD Rule 431 which requires all solid fuel (e.g., wood, wood pellets) burning appliances sold or installed within the district to meet USEPA Phase II emissions standards. The CalEEMod default number of hearths for apartments in Inyo County were used: 55 percent gas fireplaces; 10 percent no hearth; and 35 percent wood fireplace or wood stove. The wood burning hearths were assumed to be comprised of 50 percent meeting USEPA Phase II catalytic emissions standards and 50 percent meeting UPEPA Phase II non-catalytic emissions standards.

4.3.3 Significance Thresholds

The impact analysis provided below is based on the application of the following CEQA Guidelines Appendix G thresholds of significance, which indicate that a project would have a significant air quality impact if it would:

1. Conflict with or obstruct implementation of the applicable air quality plan;

2. 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;

3. Expose sensitive receptors to substantial pollutant concentrations; and

4. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Neither the City of Bishop nor the GBUAPCD have established numerical significance thresholds for quantitatively determining air quality impacts. CEQA, however, allows lead agencies to rely on standards or thresholds promulgated by other agencies. The GBUAPCD has allowed use of the numerical standards of the Mojave Desert Air Quality Management District (MDAQMD) in prior CEQA reviews. Because the air quality and pollutant attainment status in portions of the Mojave Desert Air Basin (MDAB) are similar to those of the Basin, the numerical thresholds set for MDAB are considered adequate to serve as significance thresholds for the proposed project.

Project construction and operations would have a significant impact to air quality if emissions exceed any of the threshold levels identified in **Table 4.3-6**. For nonattainment pollutants, if emissions exceed the thresholds shown in the table, the project could have the potential to result in a cumulatively considerable net increase in these pollutants and thus could have a significant impact on the ambient air quality.

Table 4.3-6
AIR POLLUTANT SIGNIFICANCE THRESHOLDS

Pollutant	Significance Thresholds (pounds per day)	Significance Thresholds (tons per year)
Volatile Organic Compound (VOC)	137	25
Nitrogen Oxides (NO_X)	137	25
Coarse Particulate Matter (PM_{10})	82	15
Fine Particulate Matter ($PM_{2.5}$)	65	12
Carbon Monoxide (CO)	548	100
Sulfur Oxides (SO_X)	137	25

Source: MDAQMD 2016.

4.3.4 Impact Analysis

AQ-1 The proposed project would not conflict with or obstruct implementation of the applicable air quality plan.

Consistency with the air quality plan is determined by whether the project would hinder implementation of control measures identified in the air quality plan or would result in growth of population or employment that is not accounted for in local and regional planning.

As described in the Section 4.14, Population and Housing, implementation of the high development scenario would result in the construction of 373 multi-family residential dwelling units. The project would increase the available housing, which would be expected to increase population in the area; however, the increase in housing is consistent with the General Plan Housing Element by supporting Goal 1 - Create New Housing, Goal 2 - Housing Equity and Balance, Goal 3 - Foster Housing Equity and Balance, and Goal 4 - Constraints and Incentives. The project would also assist the County in meeting its Regional Housing Needs Allocation (RHNA) of adding 205 dwelling units by 2029 (Inyo County 2021). The project does not include any commercial or industrial land uses and would not result in any significant direct increases in employment growth. Therefore, the growth in regional population as a result of the project would be consistent with the local and regional growth assumptions from the General Plan.

The GBUAPCD enforces regulations and administers permits governing stationary sources by limiting emissions of criteria air pollutants and TACs and regulating visible emissions, nuisance emissions, and fugitive dust emissions. As discussed under Impact AQ-2, the project would not contribute to a cumulatively considerable impact to any criteria air pollutant, and project emissions would not impede the air district from reducing significant air pollutants in the air basin. Therefore, the project would be consistent with General Plan goal to maintain air quality for Bishop.

The project would not conflict with or obstruct implementation of an applicable air quality plan. Impacts would be less than significant, and no mitigation would be necessary.

Significance without Mitigation: Less than significant impact.

AQ-2 The proposed project would not 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.

Construction

The project's temporary construction emissions were estimated using CalEEMod as described in the methodology description, above. The results of the modeling of the project's construction emissions of criteria pollutants and ozone precursors are shown in **Table 4.3-7**. The data are presented as the maximum anticipated daily emissions for comparison with the MDAQMD thresholds. The complete CalEEMod output is provided in **Appendix D** to this EIR.

Table 4.3-7
CONSTRUCTION CRITERIA POLLUTANT AND PRECURSOR EMISSIONS

Activity	Pollutant Emissions (pounds per day)					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Demolition	1.5	14.3	13.8	<0.1	0.8	0.7
Site Preparation	1.2	12.4	6.9	<0.1	3.4	1.8
Grading	1.4	14.5	9.0	<0.1	3.9	2.1
Building Construction	1.6	11.8	13.1	<0.1	0.6	0.5
Paving	0.7	6.3	9.2	<0.1	0.4	0.3
Architectural Coating	59.7	1.3	1.9	<0.1	0.1	0.1
Maximum Daily	**59.7**	**14.5**	**13.8**	**<0.1**	**3.9**	**2.1**
MDAQMD Daily Thresholds	*137*	*137*	*548*	*137*	*82*	*65*
Exceed Daily Threshold?	***No***	***No***	***No***	***No***	***No***	***No***

Source: CalEEMod (output data is provided in Appendix D).

The project's short-term construction emissions would not exceed any of the MDAQMD daily thresholds. Therefore, the project's construction emissions would not violate any air quality standard or result in a cumulatively considerable net increase of any criteria pollutant and the impact would be less than significant.

Operation

A project-specific analysis of operational emissions was completed using CalEEMod Version 2020.4.0, as described in the Section 4.3.2, above. The project's estimated long-term operational emissions for the earliest anticipated first full year of operations, 2024, are compared to the MDAQMD thresholds in **Table 4.3-8**.

Table 4.3-8
OPERATIONAL CRITERIA POLLUTANT AND PRECURSOR EMISSIONS

Source	Pollutant Emissions					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Daily Emissions (pounds per day)						
Area	44.8	8.5	325.6	1.0	48.3	48.3
Energy	0.2	1.5	0.6	<0.1	0.1	0.1
Mobile	14.7	12.2	92.9	0.2	18.5	5.0
Total Project Emissions[1]	59.7	22.3	419.2	1.2	66.9	53.5
MDAQMD Daily Thresholds	*137*	*137*	*548*	*137*	*82*	*65*
Exceed Daily Threshold?	***No***	***No***	***No***	***No***	***No***	***No***
Annual Emissions (tons per year)						
Area	3.5	0.4	14.9	<0.1	2.0	2.0
Energy	<0.1	0.3	0.1	<0.1	<0.1	<0.1
Mobile	1.8	2.1	15.1	<0.1	2.9	0.8
Total Project Emissions[1]	5.3	2.8	30.2	<0.1	5.0	2.8
MDAQMD Annual Thresholds	*25*	*25*	*100*	*25*	*15*	*12*
Exceed Annual Threshold?	***No***	***No***	***No***	***No***	***No***	***No***

Source: CalEEMod (output data is provided in Appendix D).
[1] Totals may not sum due to rounding.

The project's long-term emissions of criteria pollutants and precursors would not exceed the MDAQMD daily or annual thresholds. Therefore, the project's operational emissions would not violate any air quality standard or result in a cumulatively considerable net increase of any criteria pollutant, and the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

AQ-3 The proposed project would not expose sensitive receptors to substantial pollutant concentrations.

Impacts to sensitive receptors are typically analyzed for CO hot spots and exposure to TACs. An analysis of the project's potential to expose sensitive receptors to these pollutants is provided below.

Carbon Monoxide Hotspots

Vehicle exhaust is the primary source of CO. In an urban setting, the highest CO concentrations are generally found near congested intersections. Under typical meteorological conditions, CO concentrations tend to decrease as distance from the emissions source (i.e., congested intersection) increase. Project-generated traffic has the potential of contributing to localized "hot spots" of CO off-site. Because CO is a byproduct of incomplete combustion, exhaust emissions are worse when fossil-fueled vehicles are operated inefficiently, such as in stop-and-go traffic or through heavily congested intersections. Because CO disperses rapidly, hot spots are most likely to occur in areas with high traffic volumes and limited vertical mixing such as tunnels, long underpasses, or below-grade roadways.

Because the project would not result in CO emissions that would exceed daily or annual thresholds as shown in **Table 4.3-8** and the project generated traffic would be distributed throughout the city, the project is not anticipated to result in or contribute to "hot spots" of CO. Additionally, as noted above, hot spots of CO are most likely to occur from exhaust emissions in tunnels, long underpasses, or below-grade roadways, and none of the roadways nearby the proposed project have these characteristics. Therefore, impacts would be less than significant.

Other Localized Pollutants

Implementation of the project would result in the use of heavy-duty construction equipment, haul trucks, and construction worker vehicles. These vehicles and equipment would generate the TAC DPM. Generation of DPM from construction projects typically occurs in a localized area (e.g., at the project site) for a short period of time. Because construction activities and subsequent emissions vary depending on the construction activity (e.g., grading, building construction), the construction-related emissions to which nearby receptors are exposed to would also vary throughout the construction period, and the location of development within the specific plan area would vary for each year of implementation. The dose (of TAC) to which receptors are exposed is the primary factor used to determine health risk. Dose is a function of the concentration of a substance in the environment and the extent of exposure a person has with the substance; a longer exposure period to a fixed quantity of emissions would result in higher health risks.

Current models and methodologies for conducting cancer health risk assessments are associated with longer-term exposure periods (typically 30 years for individual residents based on guidance from OEHHA) and are best suited for evaluation of long duration TAC emissions with predictable schedules and locations. These assessment models and methodologies do not correlate well with the temporary

and highly variable nature of construction activities. Cancer potency factors are based on animal lifetime studies or worker studies where there is long-term exposure to the carcinogenic agent. There is considerable uncertainty in trying to evaluate the cancer risk from projects that will only last a small fraction of a lifetime (OEHHA] 2015). In addition, concentrations of mobile source DPM emissions disperse rapidly and are typically reduced by 70 percent at approximately 500 feet (CARB 2005). Considering this information, the highly dispersive nature of DPM, and the fact that construction activities would occur at various locations throughout the project site, construction of the project would expose sensitive receptors to substantial DPM concentrations.

As a residential development, long-term operation of the project would not be a significant source of localized pollutants or TACs. However, the project would site new sensitive receptors, and the project's mobile source emissions could exacerbate existing concentrations of vehicular exhaust, including DPM, in the project vicinity. A portion of the project is located along a major roadway, the US Highway 395, which is the most traveled route in the County. As detailed in Table 1-1, *Recommendations on Siting New Sensitive Land Uses*, in CARB's *Air Quality and Land Use Handbook: A Community Health Perspective*, CARB recommends projects avoid siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles per day, or rural roads with 50,000 vehicles day (CARB 2005). According to the California Department of Transportation (Caltrans) Traffic Census Program, the greatest daily volume of traffic on US Highway 395 through the City of Bishop is found near the junction with State Route (SR) 6 in Bishop with 17,200 average daily trips (Caltrans 2020). Based on these traffic counts, US Highway 395 would not represent a substantial source of TACs. Therefore, the project would not result in the exposure of its resident's to elevated pollutant levels from vehicular exhaust. The impact would be less than significant.

Significance without Mitigation: Less than significant impact.

AQ-4 The proposed project would not result in substantial emissions of odors adversely affecting a substantial number of people.

Construction of the project would require the use of diesel-powered equipment. Diesel exhaust can be a temporary source of odors. Due to the temporary and intermittent nature of construction activities, and due to the dispersion of construction activities throughout downtown Bishop, construction of the project would not result in emissions leading to odors that would adversely affect substantial numbers of people.

The project would consist of multi-family residential developments in the City of Bishop, which are not considered to be typical significant sources of objectionable odors. Therefore, operation of the project would not result in emissions leading to odors that would adversely affect substantial numbers of people, and the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

4.3.5 Cumulative Impacts

AQ-5 The proposed project would not contribute to a cumulatively considerable impact on regional air quality.

By its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards in the GBUAPCD. Instead, a project's

individual emissions of criteria pollutants and precursors contribute to existing cumulatively significant adverse air quality impacts in the GBUAPCD. In developing thresholds of significance for criteria pollutants and precursors, MDAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts on the region's existing air quality conditions (MDAQMD 2016). As discussed in impacts AQ-1 through AQ-4 above, impacts related to emissions of air pollutants and consistency with the applicable air plan would be less than significant. Therefore, the project's contribution to regional air quality would be less than cumulatively considerable, and the cumulative impacts would be less than significant.

Significance without Mitigation: Less than significant impact.

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4.4 BIOLOGICAL RESOURCES

This section begins with descriptions of the federal and state regulatory framework by which project effects may be deemed significant, and then describes methods used to evaluate potential project impacts to biological resources and existing biological resources within the project area. The section identifies the potential impacts to biological resources that could occur as a result of the implementation of the proposed project, and details mitigation measures needed to avoid or reduce the significant impacts. Database search results and other technical information referenced in the text can be found in **Appendix E**.

4.4.1 REGULATORY FRAMEWORK

4.4.1.1 Federal Regulations

Federal Endangered Species Act

The US Fish and Wildlife Service (USFWS) enforces the provisions stipulated within the Federal Endangered Species Act of 1973 (FESA; 16 US Code [USC] 1531 et seq.). Species identified as federally threatened or endangered (50 CFR 17.11, and 17.12) are protected from take, defined as direct or indirect harm, unless a Section 10 permit is granted to an entity other than a federal agency or a Biological Opinion with incidental take provisions is rendered to a federal lead agency via a Section 7 consultation. Pursuant to the requirements of FESA, an agency reviewing a proposed project within its jurisdiction must determine whether any federally listed species may be present in the study area and determine whether the proposed project will jeopardize the continued existence of or result in the destruction or adverse modification of critical habitat of such species (16 USC 1536 (a)[3], [4]). Other federal agencies designate species of concern (species that have the potential to become listed), which are evaluated during environmental review under the National Environmental Policy Act (NEPA) or CEQA although they are not otherwise protected under FESA.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) of 1918 established federal responsibilities for the protection of nearly all species of birds, their eggs, and nests. The Migratory Bird Treaty Reform Act of 2004 further defined species protected under the act and excluded all non-native species. Section 16 U.S.C. 703–712 of the Act states “unless and except as permitted by regulations, it shall be unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill” a migratory bird. A migratory bird is any species or family of birds that live, reproduce, or migrate within or across international borders at some point during their annual life cycle. Currently, there are 836 migratory birds protected nationwide by the Migratory Bird Treaty Act, of which 58 are legal to hunt.

The Bald and Golden Eagle Protection Act

The bald eagle and golden eagle are federally protected under the Bald and Golden Eagle Protection Act (16 USC 668–668c). It is illegal to take, possess, sell, purchase, barter, offer to sell or purchase or barter, transport, export, or import at any time or in any manner a bald or golden eagle, alive or dead; or any part, nest, or egg of these eagles unless authorized by the Secretary of the Interior. Violations are subject to fines and/or imprisonment for up to one year. Active nest sites are also protected from disturbance during the breeding season.

Clean Water Act (33 USC 1252-1376)

Any person, firm, or agency planning to alter or work in "waters of the US," including the discharge of dredged or fill material, must first obtain authorization from the US Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act (CWA; 33 USC 1344). Permits, licenses, variances, or similar authorization may also be required by other federal, state, and local statutes. Section 10 of the Rivers and Harbors Act prohibits the obstruction or alteration of navigable waters of the US without a permit from USACE (33 USC 403).

Waters of the US generally include:

- The territorial seas and traditional navigable waters;
- Perennial and intermittent tributaries to those waters;
- Certain lakes, ponds, and impoundments; and
- Wetlands adjacent to jurisdictional waters.

The following types of aquatic resources are generally not considered waters of the US:

- Groundwater
- Diffuse stormwater run-off
- manmade ditches dug in uplands
- Prior converted cropland (PCC)
- Artificially irrigated areas
- Artificial lakes and ponds
- Water-filled depressions incidental to mining or construction activity
- Stormwater control features
- Groundwater recharge, water reuse, and wastewater recycling structures
- Waste treatment systems

With non-tidal waters, in the absence of adjacent wetlands, the extent of USACE jurisdiction extends to the ordinary high-water mark (OHWM) – the line on the shore established by fluctuations of water and indicated by a clear, natural line impressed on the bank, shelving, changes in soil character, destruction of terrestrial vegetation, or the presence of litter and debris. Wetlands are defined in 33 CFR Part 328 as:

> *"those areas that are inundated or saturated by surface or ground water at a frequency and duration to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions."*

Federal and state regulations pertaining to waters of the US, including wetlands, are discussed below.

Clean Water Act (33 USC 1251-1376). The CWA provides guidance for the restoration and maintenance of the chemical, physical, and biological integrity of the nation's waters.

Section 401 requires that an applicant for a federal license or permit that allows activities resulting in a discharge to waters of the U.S. must obtain a state certification that the discharge complies with other provisions of CWA. The Regional Water Quality Control Board (RWQCB) administers the certification program in California and may require State Water Quality Certification before other permits are issued.

Section 402 establishes a permitting system for the discharge of any pollutant (except dredged or fill material) into waters of the US.

Section 404 establishes a permit program administered by USACE that regulates the discharge of dredged or fill material into waters of the US. (including wetlands). Implementing regulations by USACE are found at 33 CFR Parts 320-332. The Section 404 (b)(1) Guidelines were developed by the USEPA in conjunction with USACE (40 CFR Part 230), allowing the discharge of dredged or fill material for non-water dependent uses into special aquatic sites only if there is no practicable alternative that would have less adverse impacts.

4.4.1.2 State Regulations

California Endangered Species Act

The California Endangered Species Act (CESA), established under California Fish and Game Code §2050 et. seq., identifies measures to ensure that endangered species and their habitats are conserved, protected, restored, and enhanced. The CESA restricts the "take" of plant and wildlife species listed by the state as endangered or threatened, as well as candidates for listing. Section 86 of the Fish and Game Code defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." Under §2081(b) of the Fish and Game Code, California Department of Fish and Wildlife (CDFW) has the authority to issue permits for incidental take for otherwise lawful activities. Under this section, CDFW may authorize incidental take, but the take must be minimal, and permittees must fully mitigate project impacts. CDFW cannot issue permits for projects that would jeopardize the continued existence of state listed species. For species listed under both FESA and CESA requiring a Biological Opinion under Section 7 of the FESA, CDFW may also authorize impacts to CESA species by issuing a Consistency Determination under Section 2080.1 of the Fish and Game Code.

CDFW maintains lists of Candidate-Endangered Species and Candidate-Threatened Species. Candidate species and listed species are given equal protection under the law. CDFW also lists Species of Special Concern (SSC) based on limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. Designation of SSC is intended by the CDFW to be used as a management tool for consideration in future land use decisions; these species do not receive protection under the CESA or any section of the California Fish and Game Code, and do not necessarily meet CEQA Guidelines §15380 criteria as rare, threatened, endangered, or of other public concern. The determination of significance for SSC must be made on a case-by-case basis. CDFW typically requests that CEQA lead agencies consider minimization of impacts to SSC species when approving projects.

California Code of Regulations Title 14 and California Fish and Game Code

The official listing of endangered and threatened animals and plants is contained in the California Code of Regulations Title 14 §670.5. A state candidate species is one that the California Fish and Game Code has formally noticed as being under review by CDFW to include in the state list pursuant to Sections 2074.2 and 2075.5 of the California Fish and Game Code.

Legal protection is also provided for wildlife species in California that are identified as "fully protected animals." These species are protected under Sections 3511 (birds), 4700 (mammals), 5050 (reptiles and amphibians), and 5515 (fish) of the California Fish and Game Code. These statutes prohibit take or possession of fully protected species at any time. CDFW is unable to authorize incidental take of fully protected species when activities are proposed in areas inhabited by these species. CDFW has informed

non-federal agencies and private parties that they must avoid take of any fully protected species in carrying out projects. However, Senate Bill 618 (2011) allows the CDFW to issue permits authorizing the incidental take of fully protected species under the CESA, so long as any such take authorization is issued in conjunction with the approval of a Natural Community Conservation Plan that covers the fully protected species (California Fish and Game Code Section 2835).

California Environmental Quality Act

Under CEQA (1970, as amended PRC Section 21000 et seq.), lead agencies analyze whether projects would have a substantial adverse effect on a candidate, sensitive, or special-status species (PRC Section 21001(c)). These "special-status" species generally include those listed under FESA and CESA, and species that are not currently protected by statute or regulation, but would be considered rare, threatened, or endangered under the criteria included CEQA Guidelines Section 15380. Therefore, species that are considered rare are addressed in this study regardless of whether they are afforded protection through any other statute or regulation. The California Native Plant Society (CNPS) inventories the native flora of California and ranks species according to rarity; plants with a California Rare Plant Rank (CRPR) of 1A, 1B, 2A, 2B, and 3 are generally considered special-status species under CEQA.[1]

Although threatened and endangered species are protected by specific federal and state statutes, CEQA Guidelines Section 15380(d) provides that a species not listed on the federal or state list of protected species may be considered rare if it can be shown to meet certain specified criteria. These criteria have been modeled after the definition in FESA and the section of the California Fish and Game Code dealing with rare or endangered plants and animals. Section 15380(d) of the CEQA Guidelines allows a public agency to undertake a review to determine if a significant effect on species that have not yet been listed by either the USFWS or CDFW (i.e., candidate species) would occur. Thus, CEQA provides an agency with the ability to protect a species from the potential impacts of a project until the respective government agency has an opportunity to designate the species as protected, if warranted.

Nesting Birds (California Fish and Game Code Sections 3503, 3511, and 3800)

California Fish and Game Code Subsections 3503 and 3800 prohibit the possession, take, or needless destruction of birds, their nests, and eggs, and the salvage of dead nongame birds. California Fish and Game Code Subsection 3503.5 protects all birds in the orders of Falconiformes and Strigiformes (birds of prey). Fish and Game Code Subsection 3511 states that fully protected birds or parts thereof may not be taken or possessed at any time. Fish and Game Code Subsection 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA. The Attorney General of California has released an opinion that the Fish and Game Code prohibits incidental take.

California Native Plant Protection Act (California Fish and Game Code Sections 1900-1913)

The California Native Plant Protection Act of 1977 (California Fish and Game Code Sections 1900-1913) requires all state agencies to use their authority to carry out programs to conserve endangered and otherwise rare species of native plants. Provisions of the act prohibit the taking of listed plants from the

[1] The CNPS rare plant ranking system can be found online at <http://www.cnps.org/cnps/rareplants/ranking.php>

wild and require notification of CDFW at least 10 days in advance of any change in land use other than changing from one agricultural use to another, which allows CDFW to salvage listed plants that would otherwise be destroyed.

CNPS is a non-governmental conservation organization that has developed a list of plants of special concern in California. The following explains the designations for each plant species (CNPS 2020).

- Rare Plant Rank 1A – Plants Presumed Extirpated in California and Either Rare or Extinct Elsewhere
- Rare Plant Rank 1B – Plants Rare, Threatened, or Endangered in California and Elsewhere
- Rare Plant Rank 2A – Plants Presumed Extirpated in California, but Common Elsewhere
- Rare Plant Rank 2B – Plants Rare, Threatened, or Endangered in California, but More Common Elsewhere
- Rare Plant Rank 3 – Plants About Which More Information is Needed- A Review List
- Rare Plant Rank 4 – Plants of Limited Distribution – A Watch List

Although the CNPS is not a regulatory agency and plants on these lists have no formal regulatory protection, plants with a CRPR of 1A through 3 may be considered to meet the definition of endangered, rare, or threatened species under Section 15380(d) of CEQA (see above) and impacts to these species may be considered "significant."

Waters of the State

Any action requiring a CWA Section 404 permit, or a Rivers and Harbors Act Section 10 permit, must also obtain a CWA Section 401 Water Quality Certification. The State of California Water Quality Certification (WQC) Program was formally initiated by the State Water Resources Control Board (SWRCB) in 1990 under the requirements stipulated by Section 401 of the Federal CWA. Although the Clean Water Act is a Federal law, Section 401 of the CWA recognizes that states have the primary authority and responsibility for setting water quality standards. In California, under Section 401, the State and Regional Water Boards are the authorities that certify that issuance of a federal license or permit does not violate California's water quality standards (i.e., that they do not violate Porter-Cologne and the Water Code). The WQC Program currently issues the WQC for discharges requiring USACE's permits for fill and dredge discharges within Waters of the United States, and now also implements the State's wetland protection and hydromodification regulation program under the Porter Cologne Water Quality Control Act.

On April 2, 2019, the SWRCB adopted a State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State (Procedures), for inclusion in the forthcoming Water Quality Control Plan for Inland Surface Waters and Enclosed Bays and Estuaries and Ocean Waters of California. The Procedures consist of four major elements: 1) a wetland definition; 2) a framework for determining if a feature that meets the wetland definition is a water of the state; 3) wetland delineation procedures; and 4) procedures for the submittal, review and approval of applications for Water Quality Certifications and Waste Discharge Requirements for dredge or fill activities. The Office of Administrative Law approved the Procedures on August 28, 2019, and the Procedures became effective May 28, 2020.

Under the Procedures and the State Water Code (Water Code §13050(e)), "Waters of the State" are defined as "any surface water or groundwater, including saline waters, within the area of the state." Unless excluded by the Procedures, any activity that could result in discharge of dredged or fill material to Waters of the State, which includes Waters of the US and non-federal Waters of the State, requires filing of an application under the Procedures.

The Porter-Cologne Water Quality Control Act (Porter-Cologne Act, Water Code Section 13000 et seq.) is California's statutory authority for the protection of water quality in conjunction with the federal CWA. The Porter-Cologne Act requires the SWRCB and RWQCBs under the CWA to adopt and periodically update water quality control plans, or basin plans. Basin plans are plans in which beneficial uses, water quality objectives, and implementation programs are established for each of the nine regions in California. The Porter-Cologne Act also requires dischargers of pollutants or dredged or fill material to notify the RWQCBs of such activities by filing Reports of Waste Discharge and authorizes the SWRCB and RWQCBs to issue and enforce waste discharge requirements, National Pollution Discharge Elimination System (NPDES) permits, Section 401 water quality certifications, or other approvals.

California Fish and Game Code Section 1600

Under the California Fish and Game Code, the CDFW provides protection from "take" for a variety of species. The CDFW also protects streams, water bodies, and riparian corridors through the Streambed Alteration Agreement process under Section 1601 to 1606 of the California Fish and Game Code. The California Fish and Game Code stipulates that it is "unlawful to substantially divert of obstruct the natural flow or substantially change the bed, channel or bank of any river, stream or lake" without notifying the CDFW, incorporating necessary mitigation, and obtaining a Streambed Alteration Agreement. CDFW's jurisdiction extends to the top of banks and often includes the outer edge of riparian vegetation canopy cover. Impacts to riparian vegetation are regulated through the Lake and Streambed Alteration program. Preliminary notification and project review generally occur during the environmental process. When an existing fish or wildlife resource may be substantially adversely affected, CDFW is required to propose reasonable project changes to protect the resource.

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act (Porter-Cologne Act, Water Code Section 13000 et seq.) is California's statutory authority for the protection of water quality in conjunction with the federal CWA. The Porter-Cologne Act requires the SWRCB and RWQCBs under the CWA to adopt and periodically update water quality control plans, or basin plans. Basin plans are plans in which beneficial uses, water quality objectives, and implementation programs are established for each of the nine regions in California. The Porter-Cologne Act also requires dischargers of pollutants or dredged or fill material to notify the RWQCBs of such activities by filing Reports of Waste Discharge and authorizes the SWRCB and RWQCBs to issue and enforce waste discharge requirements, NPDES permits, Section 401 water quality certifications, or other approvals. Projects that do not require a federal permit may still require review and approval by the RWQCB. The RWQCB focuses on ensuring that projects do not adversely affect the "beneficial uses" associated with waters of the State. In most cases, the RWQCB requires the integration of water quality control measures into projects that will require discharge into waters of the State. For most construction projects, the RWQCB requires the use of construction and post-construction best management practices.

4.4.1.3 Local Regulations

City of Bishop General Plan Conservation and Open Space Element

The Conservation/Open Space Element of the City of Bishop General Plan identifies significant natural and man-made resources that exist within the City and surrounding area and provides policies and actions for the preservation and best utilization of those resources. The Conservation/Open Space Element includes the following policies specific to biological resources:

- The City shall require appropriate mitigation measures to protect any rare, threatened or endangered plant or animal species.
- The CEQA environmental review process shall be utilized for all new development projects to identify or mitigate potentially significant impacts to the City's natural resources.
- The City shall require referral of development projects located in sensitive resource areas to the Department of Fish and Game for their review and comment.
- The City will cooperate with government agencies, private groups, and individuals in the preservation and enhancement of the Owen's Valley natural resources.
- Maintain a buffer or setback of 50 feet from Bishop Creek measured from the stream. Developed areas on the private lands are excluded from these setback provisions. However, development is discouraged in such areas.
- The natural vegetation and habitat along the existing canals and ditches should be maintained and preserved. Channelization of streams and ditches should be considered only when the public health and safety is threatened.
- The City shall cooperate with the Lahontan Regional Water Quality Control Board in protecting the water quality of the Bishop aquifers.
- The City shall encourage the undergrounding of existing overhead utility lines. The undergrounding of utilities in new construction shall be required to the maximum extent feasible.
- Trees located along roadways should be preserved or replaced if maintenance requires their removal. Similar landscaping should be considered in conjunction with the development of additional roads.

Tree Preservation

The City of Bishop Municipal Code does not include a tree preservation ordinance or other special codes related to trees.

City of Bishop Tree Forum/Committee

The Tree Forum/Committee was formed as an ad-hoc committee to allow citizens to communicate with staff on projects, programs, and ordinances involving trees. The committee meets monthly.

4.4.2 METHODS

Biological studies conducted in support of this EIR consisted of a special-status species evaluation including a desktop review and database searches to identify known biological resources in the project parcels and vicinity. Analysis did not include field surveys due to the programmatic nature of the proposed project; field surveys will be conducted, if necessary, when specific projects are proposed.

4.4.2.1 Database and Literature Review

For the purposes of this EIR, special-status species are defined as those that fall into one or more of the following categories, including those:

- listed as endangered or threatened under FESA (including candidates and species proposed for listing);
- listed as endangered or threatened under CESA (including candidates and species proposed for listing);
- designated as rare, protected, or fully protected pursuant to California Fish and Game Code;
- designated a Species of Special Concern (SSC) by CDFW;
- considered by CDFW to be a Watch List species with potential to become a SSC;
- defined as rare or endangered under Section 15380 of CEQA; or,
- Having a CNPS designated CRPR of 1A, 1B, 2A, 2B, or 3.

In order to evaluate special-status species and/or their habitats with the potential to occur in the project area and/or be impacted by future proposed projects under the Specific Plan, HELIX obtained lists of regionally occurring special-status species from the following information sources:

- California Department of Fish and Wildlife. 2021. *California Natural Diversity Database*; For: *Rovana, Fish Slough, Laws, Tungsten Hills, Bishop, Poleta Canyon, Mt. Thompson, Coyote Flat, and Big Pine,* USGS 7.5-minute series quadrangles (quads). Accessed [1 November 2021];
- California Native Plant Society. 2021. *Inventory of Rare and Endangered Plants* (online edition, v8-03 0.39) For: *Rovana, Fish Slough, Laws, Tungsten Hills, Bishop, Poleta Canyon, Mt. Thompson, Coyote Flat, and Big Pine* USGS 7.5-minute series quadrangles. Accessed [1 November 2021]; and,
- U.S. Fish and Wildlife Service. 2021. *Information for Planning and Consultation (IPaC) List of threatened and endangered species that may occur in your proposed project location and/or be affected by your proposed project*. Accessed [1 November 2021].

Appendix E includes these agency lists of special-status plant and wildlife species occurring in the project region, along with an analysis of the potential for these regionally occurring special-status species to occur in the project parcels.

4.4.3 RESULTS: ENVIRONMENTAL SETTING

4.4.3.1 Existing Conditions

The City of Bishop is located in Inyo County's Owens Valley, east of the Sierra Nevada Mountain range and west of the White Mountains. The City of Bishop encompasses approximately two square miles in the northern portion of the Owens Valley and is the regional hub of business and services for the Eastern Sierra Nevada. The population of the City of Bishop is 3,745 residents, with an additional 5,398 residents located in the Bishop vicinity. The urban core of Bishop is centered on US Highway 395, and transitions within a few blocks to rural residential and agriculture. The City of Bishop is largely surrounded by tribal land to the west and land owned by the LADWP to the north, east, and south.

The proposed project consists of two parts: a Specific Plan and a Mixed-Use Overlay Zone. The Mixed-Use Overlay Zone consists of 94.5 acres primarily located along Main Street and Line Street and includes Bishop's Downtown Core and parcels immediately adjacent to the downtown area, as well as the parcel located at the northeast corner of Main Street and Yaney Street. The Specific Plan Area encompasses a larger portion of the City of Bishop than the Mixed-Use Overlay Zone. The Specific Plan is 302.4 acres and includes not only the Downtown Core and the entirety of the Mixed-Use Overlay Zone, but also extends north past MacIver Street and includes additional parcels to the east of the Mixed-Use Overlay Zone. Existing land uses surrounding the project area are primarily pasture and urban, and include transportation, residential, and recreational.

4.4.3.2 Topography

The City of Bishop is generally flat, elevation ranges from 4,100 feet to 4,155 feet and slopes gently to the southeast. Regional topography surrounding the project area is flat and formed by the lower slopes of the large alluvial fans associated with the Sierra Nevada and White Mountains. The City of Bishop sits in an alluvial fan formed by Bishop Creek and the Owens River, which are meandering, low-gradient streams at that point.

4.4.3.3 Hydrology

The City of Bishop is within the North Fork Bishop Creek-Owens River hydrologic unit (HUC: 180901020705). Hydrology in the northern Owens Valley is managed, primarily by the LADWP and secondarily by Southern California Edison (on Bishop Creek) as well as the Bishop Creek Water Association. All three source branches of Bishop Creek are dammed near the headwaters in the Sierra Nevada and the main stem of the creek is controlled by hydroelectric power houses for most of its length. The Owens River is dammed upstream of the City of Bishop at Pleasant Valley Reservoir and Crowley Lake. Both rivers have substantial diversions into canals that supply irrigation water to Bishop and Big Pine. South Fork Bishop Creek separates from the North Fork of the creek west of Bishop and flows through the project area in a constructed channel before entering the Bishop Creek Canal. Despite the arid climate, surface water is seasonally abundant in Bishop due to snowmelt from the surrounding mountains and the City has an extensive network of ditches and drains that convey water throughout the year.

4.4.3.4 Soils

The project area consists of five soil mapping units (NRCS 2021): Dehy loam, 0-2% slopes, Dehy sandy loam, 0-2% slopes, Dehy-Dehy calcareous complex, 0-2% slopes, Lucerne loamy fine sand, 0-2% slopes, and Xerofluvents, 0-5% slopes.

Dehy loam, 0 to 2 % slopes occur on alluvial fans and stream terraces between 3,600 and 4,700 feet amsl and consists of alluvium derived from mixed sources as parent material (NRCS 2021). A typical soil profile is loam from 0 to 12 inches, sandy loam or sandy clay loam from 12 to 19 inches and loam from 19 to 60 inches. Dehy loam is a somewhat poorly drained soil with a frequency of ponding of "none" and a depth to water table of more than 80 inches. This soil unit is considered hydric in the Benton-Owens Valley areas of Inyo and Mono Counties (NRCS 2016).

Dehy sandy loam, 0-2% slopes occur on alluvial fans, stream terraces, and fan terraces between 4,200 to 4,400 feet amsl and consists of alluvium derived from mixed sources as parent material (NRCS 2021). A typical soil profile is sandy loam from 0 to 18 inches, sandy loam from 18 to 41 inches and cobbly sandy loam from 41 to 60 inches. Dehy sandy loam is a somewhat poorly drained soil with a frequency of ponding of "none" and a depth to water table of more than 80 inches. This soil unit is considered hydric in the Benton-Owens Valley areas of Inyo and Mono Counties (NRCS 2016).

Dehy-Dehy calcareous complex, 0-2% slopes occur on alluvial fans and stream terraces between 3,600 to 4,700 feet amsl and consists of alluvium derived from mixed sources as parent material (NRCS 2021). A typical soil profile is loamy sandy from 0 to 18 inches, sandy loam from 18 to 36 inches and sandy loam from 36 to 60 inches. Dehy-Dehy calcareous complex is a somewhat poorly drained soil with a frequency of ponding of "none" and a depth to water table of more than 80 inches. This soil unit is considered hydric in the Benton-Owens Valley areas of Inyo and Mono Counties (NRCS 2016).

Lucerne loamy fine sand, 0-2% slopes occur on fan terraces between 4,000 to 4,100 feet amsl and consists of alluvium derived from granite as parent material (NRCS 2021). A typical soil profile is loamy fine sand from 0 to 1 inch, fine sandy loam from 1 to 22 inches, gravelly sandy loam from 22 to 36 inches and very cobbly sand from 36 to 60 inches. Lucerne loamy fine sand is a well-drained soil with a frequency of ponding of "none" and a depth to water table of more than 80 inches. This soil unit is not considered hydric in the Benton-Owens Valley areas of Inyo and Mono Counties (NRCS 2016).

Xerofluvents, 0-5% slopes occur on drainageways between 4,000 to 7,500 feet amsl and consists of alluvium derived from mixed sources as parent material (NRCS 2021). A typical soil profile is gravelly sandy loam from 0 to 11 inches, gravelly sandy loam from 11 to 18, very gravelly loam from 18 to 34 inches and stratified very gravelly sand to very cobbly sandy clay loam from 34 to 60 inches. Xerofluvents is a poorly drained soil with a frequency of ponding of "none" and a depth to water table of more than 6 to 18 inches. This soil unit is considered hydric in the Benton-Owens Valley areas of Inyo and Mono Counties (NRCS 2016).

4.4.3.5 General Biological Resources

Vegetation Communities/Land Cover Types within the Project Area

Vegetation communities and land cover types occurring within the project area include freshwater marsh/alkali meadow, riparian woodland, irrigated/urban, and non-native grassland (City of Bishop 1993). Vegetation communities and land cover types potentially occurring with the project area as

determined based on a review of aerial imagery and other data sources (e.g., National Wetland Inventory mapping) include freshwater marsh, riparian woodland, and irrigated/urban. These vegetation communities/land cover types are described below.

Freshwater Marsh/Alkali meadow

This community occurs in shallow water and along the margins of standing freshwater associated with springs, seeps, and ponds. Elements of this community also occur in irrigated pasture and places with high ground water and slow-moving ditches and drains. Water and alkalinity affect the type of species present. Some of the more common species found in this habitat community include cattails (*Typha* sp.), sedge (*Carex* sp.), monkey flower (*Mimulus* sp.), bulrush (*Scirpus* sp.), and rush (*Juncus* sp.). Freshwater marshes are among the most productive wildlife habitats in California. Various aquatic and semi aquatic species of amphibians and reptiles are dependent on freshwater marsh habitat. Freshwater marsh habitat is expected to occur in the project area along South Fork Bishop Creek, China Slough, and ditches (**Figure 4.4-1**).

Alkali meadow is a subset of freshwater marsh and is a sensitive natural community. Alkali meadows are characterized by dense to fairly open growth of perennial grasses and sedges on more or less permanently moist alkaline soils. This habitat type may intergrade with a variety of habitats also occurring on alkaline soils. The habitat usually features low-growing species but may support species reaching one meter in height (e.g., alkali sacaton; *Sporobolus airoides*). Characteristic species include yerba mansa (*Anemopsis californica*), various sedges (*Carex* spp.) and rushes (*Juncus* spp.), saltgrass (*Distichlis spicata*), and scratchgrass (*Muhlenbergia asperifolia*). Alkali meadow habitat is present in vacant parcels in the northeast corner of the project area along the west side of Spruce Street north of E. Yaney Street and may be present in the southwest corner of the project area in the vacant parcel south of the intersection of W. Line Street and Sunland Drive.

Riparian Woodland

This community is associated with streams and rivers. Typically, the riparian woodland includes trees, shrubs, and understory plants. Species associated with freshwater marsh are mixed with riparian woodland habitat in the lower portions of Bishop Creek, larger canals, and along the Owens River. Common species within riparian woodland habitat include willow (*Salix* sp.), cottonwood (*Populus* sp.), honey locust (*Robinia pseudoacacia*), water birch (*Betula occidentalis*), saltgrass, and California wild rose (*Rosa woodsii*). Within the project area, riparian woodland occurs along South Fork Bishop Creek, China Slough, and potentially sparsely along some of the ditches.

Irrigated/Urban

Urban or developed lands are areas of intensive use with much of the land covered by structures. This includes cities, transportation, power and communications facilities, residences, mills, shopping centers, industrial and commercial complexes, and institutions that may by isolated from urban areas. The majority of the project area is comprised of urban lands within the City of Bishop consisting of residential and commercial centers.

Non-Native Grassland

Non-native annual grasslands are open grasslands composed primarily of annual species. Germination follows the onset of winter rains; however, growth is slow during cold weather and plants remain low in stature until spring. Grasses flower and set seed by early summer, and large amounts of standing dead thatch are present by mid-summer in the absence of grazing. Non-native annual grassland habitat in the City of Bishop may occur in areas that are disturbed by past or ongoing human activities but retain a soil substrate, such as in landscaping, margins and edges, vacant lots, or in the transition zone between alkali meadow habitat and urban areas. There is limited habitat value for special status species within non-native grasslands, due to their disturbed nature.

4.4.4 SPECIAL-STATUS SPECIES

A total of 54 regionally occurring special-status plant species and 30 regionally occurring special-status wildlife species were identified during the database queries and desktop review and are evaluated in **Appendix E**.

4.4.4.1 Special-Status Plant Species

A total of 54 regionally occurring special-status plant species were identified during the database queries and desktop review as having the potential to occur in the project area. Many of the regionally occurring special-status plant species that were identified occur in desert scrub or dune habitats. Several species require pinyon-juniper woodland or coniferous forest habitat, and several species are found in alpine or subalpine habitats such as are found in the mountains surrounding the Owens Valley. Some species have specific requirements for aquatic habitat such as hot springs or deep-water lakes. The potential for these regionally occurring special-status species to occur in the project area is analyzed in **Appendix E** and depicted in **Figure 4.4-2**.

Based on the literature review, published information, soil types present, and habitats in the project area determined using aerial imagery, three of the regionally occurring special-status plant species were identified as having the potential to occur in the project area. Species determined to have no potential to occur in the project area or be impacted by the proposed project are not discussed further in this document.

Silver-leaved Milk-vetch (*Astragalus argophyllus* var. *argophyllus*)

Federal status – none
State status – none
CNPS Rare Plant Rank – 2B.2

Species Description

Silver-leaved milkvetch is a perennial herb found in saline or alkaline meadows, seeps, and playas from 4,068 feet (1,240 meters) to 7,710 feet (2,350 meters) elevation. Blooms May – July (CNPS 2021). Microhabitat preferences include alkaline and saline meadows, streambanks, and lake shores with stiff alluvial clays and loams (CDFW 2021).

Reported Occurrences in the Project Region

There are two CNDDB occurrences within five miles of the project area; one occurrence is approximately 2.8 miles east of the project area, the other occurrence is approximately 3.1 miles east of the project area. Both occurrences are in alkali meadows along the flood plain adjacent to the Owens River. Other species observed at these locations includes beardless wild rye (*Leymus triticoides*), Rocky Mountain iris (*Iris missouriensis*), wild licorice (*Glycyrrhiza lepidota*), Baltic rush, and saltgrass (CDFW 2021).

Habitat Suitability in the Project Area

Potentially suitable habitat for this species in the project area is limited to undeveloped parcels containing alkali meadow. A few undeveloped parcels within the project area contain alkali meadow habitat and may provide suitable habitat for silver-leaved milk-vetch. Alkali meadow habitat is present in vacant parcels in the northeast corner of the project area along the west side of Spruce Street north of E. Yaney Street and may be present in the southwest corner of the project area in the vacant parcel south of the intersection of W. Line Street and Sunland Drive.

Potential for Adverse Effects

In the absence of proposed mitigation measures, potential adverse effects of the proposed project on silver-leaved milk-vetch could include harm to individual plants if this species is present on undeveloped parcels in the project area that are proposed for development. If present, ground disturbance associated with construction activities could result in the destruction of individual silver-leaved milk-vetch plants and/or the project could result in the conversion of suitable habitat to unsuitable uses resulting in unsuitable conditions for germination of the plant. Destruction of silver-leaved milk-vetch plants or the loss of populations of this plant species due to conversion of habitat would be considered a potentially significant impact.

Implementation of Mitigation Measure BIO-1 would reduce potential impacts to silver-leaved milk-vetch to a less than significant level.

Inyo Phacelia (*Phacelia inyoensis*)

Federal status – none
State status – none
CNPS Rare Plant Rank – 1B.2

Species Description

Inyo phacelia is an annual herb found along the margins of alkaline meadows and seeps in alkali scrub habitat from 3,002 feet (915 meters) to 10,499 feet (3,200 meters) elevation. This species is widely distributed throughout the Owens, Chalfant, and Long valleys where it blooms April – August (CNPS 2021).

Reported Occurrences in the Project Region

The nearest reported CNDDB occurrence is located 3.8 miles north of the project area along Fish Slough Road where this species was found in gravely loam soils. Other species observed at this occurrence

include white flowered rabbitbrush (*Ericameria albida*), alkali sacaton (*Sporobolus airoides*), and rubber rabbitbrush (*Ericameria nauseosa*) (CDFW 2021).

Habitat Suitability in the Project Area

Potentially suitable habitat for this species in the project area is limited to undeveloped parcels containing alkali meadow. A few undeveloped parcels within the project area contain alkali meadow habitat and may provide suitable habitat for Inyo phacelia. Alkali meadow habitat is present in vacant parcels in the northeast corner of the project area along the west side of Spruce Street north of E. Yaney Street and may be present in the southwest corner of the project area in the vacant parcel south of the intersection of W. Line Street and Sunland Drive.

Potential for Adverse Effects

In the absence of proposed mitigation measures, potential adverse effects of the proposed project on Inyo phacelia could include harm to individual plants if this species is present on undeveloped parcels in the project area that are proposed for development. If present, ground disturbance associated with construction activities could result in the destruction of individual Inyo phacelia plants and/or the project could result in the conversion of suitable habitat to unsuitable uses resulting in unsuitable conditions for germination of the plant. Destruction of Inyo phacelia plants or the loss of populations of this plant species due to conversion of habitat would be considered a potentially significant impact.

Implementation of Mitigation Measure BIO-1 would reduce potential impacts to Inyo phacelia to a less than significant level.

Owens Valley Checkerbloom (*Sidalcea covillei*)

Federal status – none
State status – Endangered
CNPS Rare Plant Rank – 1B.1

Species Description

Owens Valley checkerbloom is a perennial herb found in mesic alkaline microsites in chenopod scrub, meadows, and seeps from 3,593 feet (1,095 meters) to 4,642 feet (1,415 meters) elevation. This species prefers fine, sandy loam soils and is widely distributed throughout the Owens Valley. Blooms April – June (CNPS 2021).

Reported Occurrences in the Project Region

There is one CNDDB occurrence of this species within the project area. The reported occurrence documents a large population (in some years with 60,000+ individuals) in alkali meadow habitat on LADWP lands in the northeast corner of the project area, east of US Highway 395 and north of E. Yaney Street as well as a second smaller population on lands adjacent to the east side of Bishop City Park. These population records have not been updated in the CNDDB since 1995 and 2001 respectively, therefore, the current status of these populations is unknown. There is an additional reported occurrence including several separate small populations in alkali meadow habitat on LADWP lands and the Pauite-Shoshone Indian Reservation located south and west of the project area. The closest reported population is 200 feet south of the project area generally east of Sunland Drive and north of

Mandich Street and directly south of an undeveloped parcel at the intersection of W. Line Street and Sunland Drive. This population record has not been updated in the CNDDB since 1992, therefore, the current status of this population is unknown. Other species observed at these reported locations include white flowered rabbitbrush, alkali sacaton, Rocky Mountain iris (*Iris missouriensis*), Baltic rush (*Juncus balticus*), Wood's rose (*Rosa woodsii*), and saltgrass (*Distichlis spicata*) (CDFW 2021).

Habitat Suitability in the Project Area

Potentially suitable habitat for this species in the project area is limited to undeveloped parcels containing alkali meadow. A few undeveloped parcels within the project area contain alkali meadow habitat with fine, sandy, loamy soils and are within or adjacent to historic records of this species and therefore have a high likelihood to support Owens Valley checkerbloom. Alkali meadow habitat is present in vacant parcels in the northeast corner of the project area along the west side of Spruce Street north of E. Yaney Street and may be present in the southwest corner of the project area in the vacant parcel south of the intersection of W. Line Street and Sunland Drive.

Potential for Adverse Effects

In the absence of proposed mitigation measures, potential adverse effects of the proposed project on Owens Valley checkerbloom could include harm to individual plants if this species is present on undeveloped parcels in the project area that are proposed for development. If present, ground disturbance associated with construction activities could result in the destruction of individual Owens Valley checkerbloom plants and/or the project could result in the conversion of suitable habitat to unsuitable uses resulting in unsuitable conditions for germination of the plant. Destruction of Owens Valley checkerbloom plants or the loss of populations of this plant species due to conversion of habitat would be considered a potentially significant impact.

Implementation of Mitigation Measure BIO-1 would reduce potential impacts to Owens Valley checkerbloom to a less than significant level.

4.4.4.2 Special-Status Wildlife Species

A total of 30 regionally occurring special-status wildlife species were identified during the database searches and desktop review as having the potential to occur in the project area. The majority of the special-status wildlife species are associated with aquatic or riparian habitats. Several species require cliff habitat or are only found in rocky, alpine environments. The proposed project area is outside of the elevation or limited geographic range of several species. The potential for these regionally occurring special-status species to occur in the project area is analyzed in **Appendix E**.

Based on the literature review, published information, soil types present in the project parcels, and the habitats present as determined using aerial imagery and other data sources (e.g., National Wetland Inventory mapping), there are eight special-status wildlife species with the potential to occur in the project area. Species determined to have no potential to occur within any of the project parcels or be impacted by the proposed project are not discussed further in this document.

Owens Sucker (*Catostomus fumeiventris*),

Federal status – none
State status – none

Other – CDFW Species of Special Concern

Species Description

Owens sucker is widespread and common throughout the Owens River system, including Bishop Creek, Rock Creek, Convict Lake, and Crowley Lake. It is considered secure with low concern but is retained on the list of species of special concern because of its limited geographic range (Moyle et al. 2015).

Owens sucker inhabits streams and lakes throughout the Owens River watershed and is the dominant species in many pools and ponds (Moyle et al. 2015). This species is primarily found in cool-water streams where it is found in long reaches with few riffles or rapids and a fine substrate, and often in off-channel pools (Deinstadt et al. 1986). Habitat includes silty to rocky pools and runs of creeks (Page and Burr 2011). In lakes, Owens sucker is abundant near the bottom. It appears to tolerate the presence of non-native species such as brown trout and bass. Owens suckers feed at night on a diet of aquatic insects, algae, detritus, and organic matter (Calfish 2017). Adults occur in cool permanent streams with deep (1+ meters) pools (Moyle 2015). Larvae of this species are abundant in weedy edges and backwaters of streams. This species spawns in gravelly riffles in tributary streams; lacustrine populations spawn in springs and gravel patches along lake shores, as well as in tributary streams (Moyle 2015).

Reported Occurrences in the Project Region

Owens sucker is widespread and common throughout the Owens River system, including Bishop Creek, Rock Creek, Convict Lake, and Crowley Lake. There are two recorded occurrences within 0.5 miles of the project area in the CNDDB. One occurrence is 0.3 miles northwest of the project area in an irrigation ditch in the vicinity of the South Fork of Bishop Creek. The other occurrence is 0.1 miles south of the project area in China Slough. The records are dated to 1988 and 1985, respectively (CDFW 2021).

Habitat Suitability in the Project Area

Active drainage ditches and creeks withing the project area may provide suitable aquatic habitat for the species, including South Fork Bishop Creek, China Slough, and connected ditches. Additionally, this species could be present upstream or downstream of the project area or in waterways hydrologically connected to the project area.

Potential for Adverse Effects

In the absence of proposed mitigation measures, potential adverse effects of the proposed project on Owens sucker could include harm to individual Owens sucker as a result of direct impacts to waterways or indirect impacts to this species resulting from water quality impacts or habitat degradation. Ground disturbance associated with construction activities would have the potential to negatively impact water quality or habitat resulting in harm to individual Owens sucker if present in the ditches and creeks on or adjacent to the project area or directly harm individuals occupying waterways, which would be a potentially significant impact.

Implementation of Mitigation Measure BIO-3 would reduce potential impacts to Owens sucker to a less than significant level.

Owens Speckled Dace (*Rhinichthys osculuss*)

Federal status – none
State status – none
Other – CDFW Species of Special Concern

Species Description

Owens speckled dace inhabits a wide range of streams, including ditches, hot spring systems, and cold-water streams. Spawning occurs in gravel and the fry congregate in warm shallow areas, often in channels with rocks and emergent vegetation (CDFW 2017). Owens speckled dace appears to be excluded from most of its wide ecological range by non-native predatory fishes, and habitat modifications that reduce vegetative cover (Moyle et al. 2015). Owens speckled dace has been extirpated from most of its natural range in the Owens River watershed, and now occurs only in three disjunct populations in Fish Slough, Round Valley, and in irrigation ditches in Bishop. It has a high concern rating due to a declining and fragmented population (Moyle et al. 2015).

Reported Occurrences in the Project Region

Within the northern Owens Valley, this species is known to occur in North McNally Ditch, North Fork Bishop Creek, an irrigation ditch in north Bishop, Lower Horton Creek, and Lower Pine and Rock creeks. Speckled dace now occurs primarily in streams and irrigation ditches around Bishop, but the populations are scattered, mostly small and fluctuate widely in size (CDFW 2017). There are two recorded occurrences within 0.5 miles of the project area in the CNDDB. One occurrence is 0.3 miles northwest of the project area in an irrigation ditch in the vicinity of the South Fork of Bishop Creek. The other occurrence is 0.1 miles south of the project area in China Slough. The records are dated to 1988 and 1985, respectively (CDFW 2021).

Habitat Suitability in the Project Area

Active drainage ditches and creeks within the project area may provide suitable aquatic habitat for the species, including South Fork Bishop Creek, China Slough, and connected ditches. Additionally, this species could be present upstream or downstream of the project area or in waterways hydrologically connected to the project area.

Potential for Adverse Effects

In the absence of proposed mitigation measures, potential adverse effects of the proposed project on Owens speckled dace could include harm to individual Owens speckled dace as a result of direct impacts to waterways or indirect impacts to this species resulting from water quality impacts or habitat degradation. Ground disturbance associated with construction activities would have the potential to negatively impact water quality or habitat resulting in harm to individual Owens speckled dace if present in the ditches and creeks on or adjacent to the project area or directly harm individuals occupying waterways, which would be a potentially significant impact.

Implementation of Mitigation Measure BIO-3 would reduce potential impacts to Owens speckled dace to a less than significant level.

Cooper's Hawk (*Accipiter cooperii*)

Federal status – none
State status – none
Other – Watch List

Species Description

Cooper's hawk nests in woodlands and is very tolerant of urban and suburban areas. Can be found in large urban parks with urban forests or in isolated trees in industrial strips and parks. Preys on medium-sized birds and small mammals. Urban areas may provide increased access to prey species such as pigeons and doves (Stout and Rosenfield 2010). Forages in open woodland and habitat edges, often of an interrupted or marginal type (Zeiner et al. 1990). In wildland areas, primarily nests in riparian growths of deciduous trees, such as canyon bottoms on river flood plains. Prefers lives oaks.

Reported Occurrences in the Project Region

The nearest reported occurrence of nesting Cooper's hawk in the CNDDB is approximately 14.3 miles south of the project area in riparian habitat (CDFW 2021). However, there is an observation of Cooper's hawk reported in iNaturalist from February 2021 within the project area (iNaturalist 2021). A Cooper's hawk was observed perching in a tree next to an undeveloped lot along the south side of MacIver Street between N. Main Street and Spruce Street.

Habitat Suitability in the Project Area

Suitable nesting and foraging habitat for Cooper's hawk is present in the project area. Cooper's hawk would be most likely to nest in trees on parcels adjacent to open areas providing foraging habitat such as in the northeast portion of the project area adjacent to and north of Bishop City Park, parcels adjacent to South Fork Bishop Creek in the central portion of the project area, and parcels along the southern boundary of the project area adjacent to open fields bordering China Slough. However, Cooper's hawk could occur throughout the project area.

Potential for Adverse Effects

If Cooper's hawk were to nest within or adjacent to a parcel proposed for development prior to construction, impacts to nesting could occur through noise, vibration, and the presence of construction equipment and personnel. Project activities such as clearing and grubbing, grading or other earthwork, or tree removal during the breeding season (February 1 through August 31) could result in injury or mortality of eggs and chicks directly through destruction or indirectly through forced nest abandonment due to noise and other disturbance. Injury or mortality of Cooper's hawks as a result of construction would be a potentially significant impact.

Implementation of Mitigation Measure BIO-6 would reduce potential impacts to Cooper's hawk to a less than significant level.

Swainson's Hawk (*Buteo swainsoni*)

Federal status – none
State status – Threatened

Other – none

Species Description

Swainson's hawk is a breeding season migrant in California that winters in South America; migrants typically arrive in mid-April and begin scouting nest locations. Breeding is finished by August and most birds have left the state by late-October. Populations are largest in the southern Sacramento Valley and high deserts.

Swainson's hawks' nest in large trees in riparian woodlands, tall trees in upland stands (especially Eucalyptus), and solitary trees in agricultural areas. Isolation from human foot traffic is important to nest site selection, though hawks are less sensitive to vehicle traffic. Nests are typically concealed in dense canopy. Individuals exhibit high nest site fidelity. Swainson's hawks forage opportunistically over a large area, soaring up to 10 miles from the nest to hunt small mammals and insects in agricultural fields and grasslands. Suitable foraging habitat is open, with low vegetation (less than 12 inches) and abundant prey. Foraging activity is highest in agricultural fields during activities that drive prey into the open such as harvesting, disking, flooding, and burning.

Reported Occurrences in the Project Region

The nearest reported nest occurrence in the CNDDB for this species is 3.3 miles northeast of the project area in a cottonwood tree. The record is from 2017 (CDFW 2021). This species has been documented flying and perching on utility poles in and around the City of Bishop in iNaturalist but there are no observations of nesting Swainson's hawks in the City of Bishop in iNaturalist (iNaturalist 2021).

Habitat Suitability in the Project Area

Suitable nesting and foraging habitat for Swainson's hawk is present in the project area. Swainson's hawk would be most likely to nest in trees on parcels adjacent to open areas providing foraging habitat such as in the northeast portion of the project area adjacent to and north of Bishop City Park, parcels adjacent to South Fork Bishop Creek in the central portion of the project area, and parcels along the southern boundary of the project area adjacent to open fields bordering China Slough. Swainson's hawks could forage opportunistically on prey in undeveloped parcels within the project area, although it is unlikely that Swainson's hawk would use these parcels regularly for foraging as they are small and located next to developed areas and this species typically forages in large open tracts of land.

Potential for Adverse Effects

If Swainson's hawk were to nest within or adjacent to a parcel proposed for development prior to construction, physical disturbance of an active nest through tree removal, or indirect disturbance within 0.25 mile of an active nest through noise, vibration, lights, or human presence, could lead to accidental injury or mortality of eggs or chicks. Accidental injury or mortality of Swainson's hawks would be a potentially significant impact. Loss of potential marginal foraging habitat for Swainson's hawk that would occur as a result of project implementation would not be considered a significant impact to Swainson's hawk as the undeveloped parcels in the project area are small and there is ample foraging habitat for Swainson's hawk in the region.

Implementation of Mitigation Measure BIO-3 would reduce potential impacts to nesting Swainson's hawk to a less than significant level.

Pallid Bat (*Antrozous pallidus*)

Federal status – none
State status – none
Other – CDFW Species of Special Concern

Species Description

Pallid bat occurs throughout California except for the high Sierra Nevada and the northern Coast Ranges. Habitats include grasslands, shrublands, woodlands, and forests from sea level to 6,000 feet. This species is most common in open, dry habitats with rocky areas for roosting; roosts also include cliffs, abandoned buildings, bird boxes, under bridges and occasionally in hollow trees. This species is generally intolerant of roost disturbance, and it has a high loyalty to roosting sites. If members of this species experience frequent disturbance at a roost site, they will typically abandon the roost (Bolster, ed. 1998).

Reported Occurrences in the Project Region

The nearest report occurrence in the CNDDB for pallid bat is 4.5 miles northeast of the project area in an abandoned building near a stream (CDFW 2021).

Habitat Suitability in the Project Area

Any abandoned or vacant buildings in the project area have the potential to provide roosting habitat for pallid bat as do hollow trees or trees with large cavities if present on undeveloped parcels.

Potential for Adverse Effects

Potential adverse effects of the proposed project on pallid bat could include harm to individual pallid bats, roost disturbance/loss of active roosting sites, and loss of potential habitat. If any pallid bat were present in any of the parcels in the project area at the time of construction, harm of individuals could occur as a result of contact with construction equipment or personnel and roost disturbance/loss of active roost could result in displacement of individuals subjecting them to increased chance of predation or mortality. Harm to individual pallid bats would be considered a potentially significant impact.

Implementation of Mitigation Measure BIO-4 would reduce potential impacts to pallid bat to a less than significant level.

Townsend's Big-eared Bat (*Corynorhinus townsendii*)

Federal status – none
State status – none
Other – CDFW Species of Special Concern

Species Description

Townsend’s big-eared bat is widely distributed throughout California except alpine and subalpine habitats. This species eats moths, beetles and other insects, which it catches on the wing or by gleaning from vegetation. Typically found near water since it is poor at concentrating its urine. This species uses caves, mines, tunnels, buildings and human-made structures for roosting. Maternity roosts are typically

in warm sites. Hibernation sites are typically cold, but not freezing. This species is very sensitive to disturbance and may abandon its roost after one visit (Zeiner et al. 1990).

Reported Occurrences in the Project Region

The nearest report occurrence in the CNDDB for this species is 3.6 miles southeast of the project area and is from 1940 (CDFW 2021). The current status of this species in the project region is uncertain.

Habitat Suitability in the Project Area

Any abandoned or vacant buildings in the project area are considered to have the potential to provide roosting habitat for Townsend's big-eared bat.

Potential for Adverse Effects

Potential adverse effects of the proposed project on Townsend's big-eared bat could include harm to individual Townsend's big-eared bats, roost disturbance/loss of active roosting sites, and loss of potential habitat. If any Townsend's big-eared bat were present in any of the parcels in the project area at the time of construction, harm of individuals could occur as a result of contact with construction equipment or personnel and roost disturbance/loss of active roost could result in displacement of individuals subjecting them to increased chance of predation or mortality. Harm to individual Townsend's big-eared bats would be considered a potentially significant impact.

Implementation of Mitigation Measure BIO-4 would reduce potential impacts to Townsend's big-eared bat to a less than significant level.

Spotted Bat (*Euderma maculatum*)

Federal status – none
State status – none
Other – CDFW Species of Special Concern

Species Description

Spotted bat occurs in deserts, grasslands and mixed coniferous forests up to 10,000 feet. Forages over water or close to the ground primarily on moths. Prefers to roost in rocky cliffs with crevices but may also use caves or buildings. This species also forages and roosts individually but may on occasion roost in groups. This species is sensitive to human disturbance. Spotted bat is considered to be one of the rarest mammals in North America (Zeiner et al. 1990).

Reported Occurrences in the Project Region

There is a reported occurrence of this species within the project area where this species was documented in Bishop City Park in 1977 and again in 1995 (CDFW 2021). Spotted bat was also documented foraging in a residential area 2.5 miles west of the City of Bishop in 1995 (CDFW 2021).

Habitat Suitability in the Project Area

Any abandoned or vacant buildings in the project area are considered to have the potential to provide roosting habitat for Townsend's big-eared bat and this species could forage throughout the project area.

Potential for Adverse Effects

Potential adverse effects of the proposed project on spotted bat could include harm to individual spotted bats, roost disturbance/loss of active roosting sites, and loss of potential habitat. If any spotted bats were present in any of the parcels in the project area at the time of construction, harm of individuals could occur as a result of contact with construction equipment or personnel and roost disturbance/loss of active roost could result in displacement of individuals subjecting them to increased chance of predation or mortality. Harm to individual spotted bats would be considered a potentially significant impact.

Implementation of Mitigation Measure BIO-4 would reduce potential impacts to spotted bat to a less than significant level.

Owens Valley Vole (*Microtus californicus vallicola*)

Federal status – none
State status – none
Other – CDFW Species of Special Concern

Species Description

There is limited current data about the status and ecology of Owens Valley vole, but its distribution and habitat use are thought to be similar to that of the California vole (*Microtus californicus*). This species is found in a variety of habitats, including rush/sedge meadow, native meadow, riparian scrub, and ungrazed irrigated pasture. Owens valley vole prefers areas with shrubs (rose thickets), patches of dense herbaceous vegetation (*Juncus* sp. and *Leymus triticoides*), fence lines, and waterways (Nelson et al 2006). This species needs friable soil for burrowing (CDFW 2021).

Reported Occurrences in the Project Region

The nearest reported occurrence in the CNDDB for the species is approximately 2.0 miles east of the project area in the vicinity of Bishop Creek (CDFW 2021). This occurrence is dated to 1935 and there are no dated occurrences in the CNDDB past 1957, but the species has not been reliably studied in recent years.

Habitat Suitability in the Project Area

Potentially suitable habitat for this species in the project area is limited to undeveloped parcels bordering open lands. A few undeveloped parcels within the project area contain alkali meadow and riparian woodland habitat with fine, sandy, loamy soils suitable for this species and are adjacent to open undeveloped tracts of land and therefore have the potential to support Owens Valley vole. Potentially suitable habitat is present in vacant parcels in the northeast corner of the project area along the west side of Spruce Street north of E. Yaney Street and in the southwest corner of the project area in the vacant parcel south of the intersection of W. Line Street and Sunland Drive.

Potential for Adverse Effects

Potential adverse effects of the proposed project on Owens Valley vole could include harm to individual Owens Valley vole, burrow disturbance/loss of active burrows, and loss of potential habitat. If this species were present in any of the project parcels at the time of construction, harm of individuals could occur as a result of contact with construction equipment or personnel and burrow disturbance/loss of active burrows could result in displacement of individuals subjecting them to increased chance of predation or mortality. Harm to individual Owens valley vole would be considered a potentially significant impact. Loss of potential unoccupied habitat would not be considered a significant impact as there is ample higher quality habitat in the region.

Implementation of Mitigation Measure BIO-5 would reduce potential impacts to Owens Valley vole to a less than significant level.

4.4.4.3 Migratory Birds and Raptors

Migratory and non-game birds are protected during the nesting season by California Fish and Game Code. The project area and immediate vicinity provides nesting and foraging habitat for a variety of native birds common to urbanized areas and open habitats, such as red-tailed hawk (*Buteo jamaicensis*), mourning dove (*Zenaida macroura*), house finch (*Haemorhous mexicanus*), and American crow (*Corvus brachyrhynchos*). A variety of migratory birds have the potential to nest in and adjacent to the parcels in the project area, in trees, shrubs and on the ground in vegetation. Undeveloped parcels have a higher potential to support nesting birds in trees and shrubs, however, nesting birds could occur through the project area in vegetation or on buildings or other structures.

Project activities such as clearing and grubbing during the avian breeding season (February 1 through August 31) could result in injury or mortality of eggs and chicks directly through destruction or indirectly through forced nest abandonment due to noise and other disturbance. Needless destruction of nests, eggs, and chicks would be a violation of the Fish and Game Code and a potentially significant impact.

Mitigation Measure BIO-6 for nesting migratory birds and raptors would reduce potential impacts to nesting birds to less than significant.

4.4.4.4 Sensitive Natural Communities

Natural communities are defined by one or more characteristic plant species and are typically of limited distribution or provide habitat for special-status species. The majority of the project area is comprised of urban development and is not considered a sensitive natural community. However, a few undeveloped parcels within the project area contain alkali meadow habitat and may also contain marsh and riparian scrub habitats, which could be considered sensitive natural communities. Alkali meadow habitat is present in vacant parcels in the northeast corner of the project area along the west side of Spruce Street north of E. Yaney Street and may be present in the southwest corner of the project area in the vacant parcel south of the intersection of W. Line Street and Sunland Drive. Alkali meadows occur in areas with a shallow water table (1 – 3 meter deep) and alkaline soils (Sawyer and Keeler 1995). Alkali meadows in the Owens Valley occur in a broad zone at the toe slopes of the giant alluvial fans coming down the west side of the Owens Valley from the Sierra Nevada. Commonly present species include sacaton, saltgrass, beardless wild rye, Baltic rush, American licorice, and rabbitbrush. These parcels also contain emergent marsh and riparian vegetation, as do parcels along South Fork Bishop Creek and potentially other parcels with ditches in the project area.

The proposed project has the potential to directly impact sensitive natural communities if development occurs on parcels containing these habitats or indirectly impact sensitive natural communities through a variety of mechanisms such as hydrologic disruption, water quality degradation, habitat degradation or increased predation as a result of increases in humans and domestic animals in close proximity, lighting impacts, and windblown trash or construction debris entering sensitive habitats. Impacts to sensitive natural communities would be considered a potentially significant impact.

Implementation of Mitigation Measure BIO-7 would reduce potential impacts to alkali meadow to a less than significant level.

4.4.4.5 Aquatic Resources Evaluation

Aquatic resources are present within the project area based on a review of aerial imagery, USGS topographic maps, and National Wetland Inventory Mapping including segments of South Fork Bishop Creek and China Slough, ditches connected to South Fork Bishop Creek and China Slough, and two freshwater emergent wetland features located in the northeastern corner of the project area (USFWS 2021b). This data provides only an estimate of the potential aquatic resources in the project area.

A formal wetland delineation would need to be conducted and verified by the USACE and the Lahontan Regional Water Quality Control Board (RWQCB) to determine if waters of the U.S. and/or waters of the State are present on any parcels within the project area that contain aquatic resources prior to development. Any impacts to waters of the US and/or State would be considered a potentially significant impact and would require permits from the USACE, the Lahontan RWQCB and/or CDFW. Mitigation Measure BIO-7 would reduce impacts to waters of the US and waters of the State to less than significant.

4.4.4.6 Wildlife Corridors

A wildlife corridor is a link of wildlife habitat, generally native vegetation, which joins two or more larger areas of similar wildlife habitat. Corridors are critical for the maintenance of ecological processes including facilitating the movement of wildlife and the continuation of viable populations. The project area consists primarily of developed and disturbed lands within the limits of the City of Bishop that do not provide a significant movement corridor for wildlife. South Fork Bishop Creek and China Slough cross through the project area and segments of these waterways in the project area provide limited movement corridors for local wildlife. However, these features are not considered significant wildlife corridors because they are not mapped as wildlife corridors by the California Essential Habitat Connectivity project and do not provide any unique movement or dispersal habitat relative to surrounding lands.

4.4.4.7 Habitat Conservation Plans/Natural Community Conservation Plans

The project does not fall under the purview of any Habitat Conservation Plans (HCP) or Natural Community Conservation Plans (NCCP).

4.4.5 SIGNIFICANCE THRESHOLDS

The thresholds for determining significance under CEQA are based on Appendix G of the CEQA Guidelines. In this analysis, the proposed project would have significant impacts on biological resources if it would:

1. 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 CDFW or USFWS.

2. Have a substantial adverse effect of any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS.

3. 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.

4. 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.

5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.

4.4.6 IMPACT ANALYSIS

BIO-1 The proposed project may result in a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service.

Potential Impact to Special-Status Plants

The proposed project could potentially result in adverse impacts to special-status plants through conversion of the potential habitat found on undeveloped parcels. Based on a review of species with a potential to occur in the region, a few of the undeveloped parcels in the project area may contain suitable habitat for silver-leaved milk-vetch, Inyo phacelia, and/or Owens Valley checkerbloom. If present, ground disturbance associated with construction activities could potentially result in the loss of individuals of these special-status plants and/or the project could result in the conversion of suitable habitat to unsuitable uses resulting in unsuitable conditions for germination of these special-status plants, which would be considered a potentially significant impact. Implementation of Mitigation Measure BIO-1 would reduce impacts to special-status plant species to a less than significant level.

Potential Impacts to Special-Status Wildlife

Potential Impacts to Owens Sucker and Owens Speckled Dace

The proposed project could potentially result in adverse impacts to Owens sucker and/or Owens speckled dace. Ground disturbance associated with construction activities would have the potential to negatively impact water quality or habitat resulting in harm to these species if present in the ditches and creeks on or adjacent to the project area, which would be a significant impact. Implementation of Mitigation Measure BIO-2 would reduce impacts to Owens sucker and Owens speckled dace to a less than significant level.

Potential Impacts to Swainson's Hawk

The proposed project could potentially result in adverse impacts to Swainson's hawk through nest disturbance and loss of potential nesting and foraging habitat. If Swainson's hawk were to nest or forage on the project area or vicinity, physical disturbance of an active nest through tree removal, or indirect disturbance within 0.25 mile of an active nest through noise, vibration, lights, or human presence, could lead to accidental injury or mortality of eggs or chicks. Accidental injury or mortality of Swainson's hawks would be a potentially significant impact. Implementation of Mitigation Measure BIO-3 would reduce impacts Swainson's hawk to a less than significant level.

Potential Impact to Special-Status Bats

Potential adverse effects of the proposed project on special-status bats including pallid bat, Townsend's big-eared bat, and spotted bat could include harm to individual bats and roost disturbance/loss of active roosting sites. Harm of individuals could occur as a result of contact with construction equipment or personnel and roost disturbance/loss of active roost could result in displacement of individuals subjecting them to increased chance of predation or mortality. Harm to individual bats would be considered a potentially significant impact. Implementation of Mitigation Measure BIO-4 would reduce potential impacts to bats to a less than significant level.

Potential Impacts to Owens Valley Vole

The proposed project could potentially result in adverse impacts to Owens Valley vole through disturbance of individual Owens Valley vole and burrow disturbance/loss of active burrows. Destruction of Owens Valley vole and any burrows would be a violation of the Fish and Game Code and a potentially significant impact. Implementation of Mitigation Measure BIO-5 would reduce impacts to Owens Valley vole to a less than significant level.

Potential Impacts to Cooper's hawk and Other Nesting Raptors and Migratory Birds

The proposed project may include removal of vegetation that provides potential nesting habitat for nesting birds. Project construction activities would potentially result in impacts to nesting birds if construction of the proposed project commences during the typical nesting period for passerines and other migratory birds. Construction activities and construction-related disturbance (noise, vibration and increased human activity) could adversely affect these species if they were to nest in or adjacent to the project area. Potential effects include physical destruction of nests by construction equipment and/or nest abandonment. Destruction of nests, eggs, or chicks of any bird would constitute a violation of the Migratory Bird Treaty Act of 1918 and the Fish and Game Code and would therefore be a potentially

significant impact. Implementation of Mitigation Measure BIO-6 would reduce potential impacts to Cooper's hawk and other nesting raptors and migratory birds to a less than significant level.

Summary

The proposed project could potentially result in significant impacts to the special-status plant and wildlife species discussed in detail above as well as nesting raptors and other nesting birds. However, implementation of Mitigation Measures BIO-1 through BIO-6 would reduce potentially significant impacts to special-status species and/or nesting raptors and birds to a less than significant level. Species-specific mitigation measures are included in the mitigation measures identified below.

Significance without Mitigation: Potentially significant impact.

Mitigation Measure BIO-1: Special-Status Plant Surveys

Floristically appropriate botanical surveys shall be conducted to determine the presence or absence of special-status plant species on any undeveloped parcel or parcel with wetlands (especially alkali meadow), aquatic resources, or native or naturalized vegetation within the project area prior to commencement of construction. The surveys shall be floristic in nature and shall be seasonally timed to coincide with the blooming period of regionally occurring special-status plant species (generally March through August, with a peak in April, May, and June). Surveys shall be conducted to determine the status of these species in the project parcels. For the undeveloped parcels in the northeast corner of the project area where Owens Valley checkerbloom was previously identified and the parcel(s) in the southwest corner of the project area adjacent to reported occurrences of Owens Valley checkerbloom, focused botanical surveys shall be conducted at least two times between May and July spaced at least 4 weeks apart. If special-status plants are not found during the focused surveys, then no further action is required.

- If special-status plants are documented on the parcel, a report shall be submitted to CNDDB to document the status of the species on the parcel. If the project is designed to avoid impacts to special-status plant individuals and habitat, no further mitigation for these species would be necessary.

- If special-status plants are documented on the parcel and project impacts to these species are anticipated, consultation with CDFW shall be conducted to develop a mitigation strategy. The proponent shall notify CDFW, providing a complete description of the location, size, and condition of the occurrence, and the extent of proposed direct and indirect impacts to it. The project proponent shall comply with any mitigation requirements imposed by CDFW. Mitigation requirements could include but are not limited to, development of a plan to relocate the special-status plants (seed) to a suitable location outside of the impact area and monitoring the relocated population to demonstrate transplant success or preservation of this species or its habitat at an on or offsite location.

Significance with Mitigation: Less than significant impact.

Mitigation Measure BIO-2: Special-Status Fish Avoidance Measures

The following mitigation shall be implemented for these special-status fish species:

- *Measures to Reduce Impacts to Water Quality*

    - Activities conducted in or immediately adjacent to drainage ditches and creeks shall be limited to the winter months (generally November – March) when flows are lowest.

    - All disturbed soils shall undergo erosion control treatment prior to October 15 and/ or immediately after construction is terminated. Erosion control blankets shall be installed on any disturbed soils on a 2:1 slope or steeper.

    - Standard construction BMPs shall be implemented throughout construction to avoid and minimize adverse effects to water quality within South Fork Bishop Creek, China Slough, and ditches in and adjacent to the project area. Appropriate erosion control measures shall be used (e.g., hay bales, filter fences, vegetative buffer strips or other accepted equivalents) to reduce siltation and contaminated runoff from the project area. The integrity and effectiveness of the BMPs shall be inspected daily. Corrective actions and repairs shall be carried out immediately.

    - No construction shall occur within the wetted portion of waterways, including access by construction equipment or personnel. If work in the wetted portion of waterways is unavoidable, the work area shall be dewatered and the flow diverted around the work area. The flow shall be diverted only once the construction of the diversion is completed.

    - Construction activities and ground disturbance within the waterways in the project area shall be confined to the minimal area necessary to facilitate construction activities. To ensure that construction equipment and personnel do not affect sensitive aquatic habitat in South Fork Bishop Creek, China Slough, and ditches up and downstream of the project area, orange barrier fencing shall be erected to clearly define the habitat to be avoided. This shall delineate the Environmentally Sensitive Area (ESA) on the project. The integrity and effectiveness of ESA fencing shall be inspected daily. Corrective actions and repairs shall be carried out immediately for fence breaches.

    - Construction by-products and pollutants such as petroleum products, chemicals, or other deleterious materials shall not be allowed to enter streams or other waters. A plan for the emergency clean-up of any spills of fuel or other materials shall be available when construction equipment is in use.

    - Construction vehicles and equipment shall be maintained to prevent contamination of soil or water from external grease and oil or from leaking hydraulic fluid, fuel, oil, and grease. Leaking vehicles and equipment shall be removed from the area.

    - Equipment shall be re-fueled, washed, and serviced at the designated construction staging area or off-site. All construction and fill materials shall be stored and contained in a designated area that is located away from South Fork Bishop Creek, China Slough, and connected ditches to prevent transport of

materials into these waterways. Equipment maintenance and storage, and materials storage shall be 100 feet or more away from waterways. In addition, a silt fence shall be installed around the staging and materials storage areas to collect any discharge, and adequate materials should be available for spill clean-up and during storm events

- No litter, debris, or sidecast shall be dumped or permitted to enter South Fork Bishop Creek, China Slough, and the active ditches. Trash and debris shall be removed from the work site regularly. Following construction, all trash and construction debris shall be removed from work areas.

- Building materials storage areas containing hazardous or potentially toxic materials such as herbicides and petroleum products shall be located outside of the 100-year flood zone, have an impermeable membrane between the ground and the hazardous material, and shall be bermed to prevent the discharge of pollutants to ground water and runoff water.

- Worker education and awareness training regarding sensitive habitats (e.g., aquatic and riparian habitats) and special-status species shall be conducted for all construction personnel. The contractor will ensure that all new personnel shall receive the mandatory training before starting work.

- *Fish Salvage Measures*

  - If dewatering is required, the contractor shall prepare a dewatering plan that complies with all applicable permit conditions. Water diversion activities shall be conducted under the supervision of a qualified biologist. The biologist shall survey the area to be dewatered immediately after installation of the dewatering device and prior to the continuation of dewatering activities. The approved biologist shall use a net to capture trapped fish present in the area to be dewatered. Captured native organisms shall be released into the creek/ditch up or downstream of the construction zone.

  - If dewatering the work area in the creek is necessary, and it would be dewatered by pumping, intakes shall be completely screened with wire mesh not larger than five millimeters to prevent fish from entering the pump system. Water shall be released or pumped downstream at an appropriate rate to maintain downstream flows during construction. Upon completion of construction activities, any barriers to flow shall be removed in a manner that would allow flow to resume with the least disturbance to the soil substrate.

Significance with Mitigation: Less than significant impact.

Mitigation Measure BIO-3: Swainson's Hawk Surveys

Pre-construction surveys shall be conducted to determine if there are nesting Swainson's hawk in or within 0.5-mile of any undeveloped parcel prior to construction. The purpose of the survey requirement is to ensure that construction activities do not agitate nesting hawks, potentially resulting in nest abandonment or other harm to nesting success. Prior to initiation of construction activities during the

Swainson's hawk breeding season (March 1 through September 15), the applicant shall determine the presence of active Swainson's hawk nests in and within 0.5 mile of any undeveloped parcels using the most recent published survey protocols (i.e., three surveys by a qualified biologist in each of the two periods preceding the construction start date; SHTAC 2000). If an active Swainson's hawk nest is discovered, the applicant shall initiate consultation with CDFW to determine what measures need to be implemented in order to ensure that nesting hawks remain undisturbed. The measures selected would depend on many variables, including the distance of activities from the nest, the types of activities, and whether the landform between the nest and activities provides any kind of natural screening. If no active nests are discovered, no further action is required

Significance with Mitigation: Less than significant impact.

Mitigation Measure BIO-4: Special-Status Bat Surveys

If trees are to be removed on any undeveloped parcels within the project area, or any vacant/abandoned buildings or structures suitable for bats are to be removed, they should be removed during periods of seasonal bat activity. Tree removal should occur during late fall, winter, or early spring when maternal roost areas are generally naturally empty. This approach avoids periods when young and newly born bats are typically present.

Prior to tree removal on undeveloped parcels or demolition of any vacant/abandoned buildings or structures suitable for bats, a qualified biologist shall conduct a clearance survey for bat species within 14 days prior. If no bats or sign of bats are observed, then a letter report shall be prepared to document the survey and provided to the project proponent and no additional measures are necessary. If removal does not commence within 14 days of the clearance survey, or halts for more than 14 days, an additional survey shall be conducted prior to resuming or starting work. If roosting bats are found, CDFW shall be contacted, and a bat avoidance and relocation plan shall be prepared by a qualified biologist in coordination with CDFW.

Significance with Mitigation: Less than significant impact.

Mitigation Measure BIO-5: Owens Valley Vole Surveys

The following mitigation shall be implemented for Owens Valley vole:

- Prior to construction at undeveloped parcels containing suitable habitat for Owens Valley vole, small mammal trapping shall be conducted in order to assess the presence/absence of Owens Valley vole. Traps are to be opened only at night for 3 nights and set up along a standard 100 X 100-m grid with traps at 10-m intervals. Large (7.6 X 8.9 X 22.cm) Sherman live-traps shall be used and baited with plain rolled oats and peanut butter. All captured animals are to be identified to species, sexed, measured, marked, and released. Surveys of Owens Valley vole sign (burrowing, feces, grass clippings, grazing, and runways) shall also be used to obtain additional information on Owens Valley vole distribution. Sign that may have been attributable to other small mammal species (i.e. burrows and grazing) shall only be considered if associated with sign distinctly characteristic of Owens Valley vole activity (i.e. runways and feces). Owens Valley vole fecal pellets are readily distinguishable from those of other small mammal species by their large size, crescent shape, and coarse texture. If Owens Valley

vole are not found during the focused surveys, then a letter report should be prepared to document the survey, and no additional measures are recommended.

- If Owens Valley vole are present on or within 100 feet of the proposed project footprint, then avoidance and mitigation measures, such as relocation, shall be developed in coordination with CDFW.

Significance with Mitigation: Less than significant impact.

Mitigation Measure BIO-6: Nesting Bird Surveys

If project activities such as vegetation removal activities commence during the avian breeding season (February 1 through August 31), a qualified biologist shall conduct a pre-construction nesting bird survey no more than 7 days prior to initiation of project activities. The survey area shall include suitable raptor nesting habitat within 500 feet of the boundary of the subject parcel(s) (inaccessible areas outside of the project parcels can be surveyed from the parcel or from public roads using binoculars or spotting scopes). Pre-construction surveys are not required in areas where project activities have been continuous since prior to February 1, as determined by a qualified biologist. Areas that have been inactive for more than 14 days during the avian breeding season must be re-surveyed prior to resumption of project activities. If no active nests are identified, no further mitigation is required. If active nests are identified, the following measure shall be implemented:

- A suitable buffer (e.g., 500 feet for Cooper's hawk and white-tailed kite; 300 feet for common raptors; 100 feet for non-raptors) shall be established by a qualified biologist around active nests and no construction activities within the buffer shall be allowed until a qualified biologist has determined that the nest is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest, or the nest has failed). Encroachment into the buffer may occur at the discretion of a qualified biologist. Any encroachment into the buffer shall be monitored by a qualified biologist to determine whether nesting birds are being impacted.

Significance with Mitigation: Less than significant impact.

BIO-2 The proposed project may result in a substantial adverse effect on a sensitive natural community.

Implementation of Mitigation Measure BIO-7, discussed in the following section, would reduce impacts to sensitive natural communities to a less than significant level.

Significance without Mitigation: Potentially significant impact.

See Mitigation Measure BIO-7: Jurisdictional Waters and Sensitive Natural Communities below.

Significance with Mitigation: Less than significant impact.

BIO-3 The proposed project may result in a substantial adverse effect on State or federally protected wetlands (including, but not limited to marsh, vernal pool,

coastal, etc.) or other waters of the U.S. or State through direct removal, filling, hydrological interruption, or other means.

The proposed project could potentially result in adverse impacts to jurisdictional waters, including South Fork Bishop Creek, China Slough, drainage ditches, freshwater marshes, and alkali meadow. A formal jurisdictional delineation would determine the exact impact the proposed project may have on jurisdictional waters. Implementation of Mitigation Measure BIO-7 would reduce impacts to jurisdictional waters to a less than significant level.

Significance without Mitigation: Potentially significant impact.

Mitigation Measure BIO-7: Jurisdictional Waters and Sensitive Natural Communities

Prior to any impacts to any undeveloped parcels containing aquatic resources in the project area, a formal jurisdictional delineation shall be conducted. The US Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and CDFW shall be contacted prior to commencement of any construction activity that would impact jurisdictional waters and permits shall be obtained as required. Impacts to jurisdictional waters shall be mitigated in accordance with agency requirements to ensure no net loss of acreage or value to waters of the US and/or waters of the state. The loss of jurisdictional waters shall be mitigated for at a minimum ratio of 1:1 (i.e., one acre created per one acre impacted) to ensure no net loss of acreage or value to waters of the US and/or waters of the state, except where exempted by regulation. The 1:1 mitigation should be replaced in-kind. This may be accomplished by purchasing credits in a mitigation bank approved by the USACE, RWQCB, and CDFW, or creation/preservation/or enhancement of waters in the project parcels or off-site reserves.

Significance with Mitigation: Less than significant impact.

BIO-4 The proposed project would not interfere substantially with the movement of native resident wildlife species or with established native resident or migratory wildlife corridors.

As discussed in Section 4.4.4.6, Wildlife Corridors, the project parcels do not contain any significant wildlife corridors. The project area is not included in any corridors mapped by the California Essential Habitat Connectivity project and does not provide any unique movement or dispersal habitat relative to surrounding lands. The project area consists primarily of developed and disturbed lands within the limits of the City of Bishop that do not provide a movement corridor for wildlife. Therefore, there are no significant wildlife corridors on the project parcels and the proposed project will not impact any significant wildlife corridors.

Significance without Mitigation: Less than significant impact.

BIO-5 The proposed project would not conflict with local policies or ordinances protecting biological resources.

The proposed project would not conflict with local policies or ordinances protecting biological resources. Although Bishop does not have a tree protection ordinance, the City of Bishop Tree Forum/Committee may provide comment on construction activities related to trees. The project would not conflict with local policies or ordinances protecting biological resources.

Significance without Mitigation: Less than significant impact.

BIO-6 The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.

As discussed in Section 4.4.4.7, Habitat Conservation Plans/Natural Community Conservation Plans, the proposed project does not fall under the purview of any HCPs or NCCPs. Therefore, the project would not conflict with any provisions of an adopted HCP, and no mitigation is required.

Significance without Mitigation: Less than significant impact.

4.4.7 CUMULATIVE IMPACTS

BIO-7 The proposed project would not result in a significant cumulative impact with respect to biological resources.

Cumulative impacts would occur when the proposed project, in combination with other projects in the City of Bishop, would directly or indirectly result in an adverse impact to a special-status species, result in an adverse effect on a natural community, result in an adverse effect to wetlands, interfere with the movement of wildlife, conflict with local policies or ordinances protecting biological resources, or conflict with an HCP or NCCP. The cumulative context for the biological resources is the City of Bishop. Although impacts to biological resources are site specific, project specific impacts may contribute to a continued loss of biological resources throughout the range of the species or other biological resource being impacted. The cumulative context for biological resources is based on projects located within the geographic range that would impact vegetation communities and species similar to those impacted by the proposed project.

The proposed project would potentially affect approximately 302.4 acres in downtown Bishop, some areas of which have potential to support sensitive biological resources. In general, a project's potential impacts related to sensitive biological resources depend on the specific project area and whether it supports sensitive natural communities, special-status species, and/or aquatic resources. As discussed above, the proposed project would have potential impacts to special-status species, sensitive natural communities, and State or federally protected wetlands which would be reduced to less than significant levels by the implementation of Mitigation Measures BIO-1 through BIO-7. Several cumulative projects are proposed and/or pending within or surrounding the City of Bishop and nearby unincorporated communities. As shown in **Table 4-1** City of Bishop Cumulative Projects List, nine projects are proposed in and around the City of Bishop. Two of the projects included in this list are housing developments within the Bishop city limits. The Inyo County Vacant Lands Inventory project proposes zoning and General Plan land use amendments to allow for additional housing development on parcels adjacent to the City of Bishop. The Bishop Paiute Tribe Hotel project proposes to add a hotel to the existing casino in Bishop. Other cumulative projects include the City of Bishop 2021 Housing Element Update, expansion of commercial airline service at Bishop Airport, located to the east of the City, and several small public works projects including sewer trunk and bridge replacement. Most of the cumulative projects included in this analysis would take place on land that is already developed and would therefore not contribute to a loss of habitat for sensitive natural communities, special-status species, or aquatic resources. As such, none of the cumulative projects considered in this analysis would lead to cumulative impacts to biological resources.

As discussed above under impacts BIO-4, BIO-5, and BIO-6, implementation of the proposed project would not interfere with the movement of wildlife in wildlife corridors, conflict with local policies or ordinances protecting biological resources, or conflict with an HCP or NCCP. Therefore, the proposed project would not contribute to cumulative impacts in these areas.

The proposed project could potentially result in the conversion of a few parcels that are currently undeveloped to residential, commercial, or mixed uses, which would have potential to contribute to loss of sensitive biological resources, including special-status species and their habitats, sensitive natural communities, and federally and state regulated wetlands. However, the implementation of Mitigation Measures BIO-1 through BIO-7 discussed above would reduce these potential impacts to less than significant levels. The projects listed as part of this cumulative analysis would also be subject to CEQA review and would be required to comply with any mitigation measures identified as necessary to reduce potential impacts to biological resources. Therefore, the project is not expected to make a cumulatively considerable contribution to losses of sensitive biological resources in the City of Bishop.

Significance without Mitigation: Potentially significant impact.

See Impacts BIO-1 and BIO-3 for Mitigation Measures BIO-1 through BIO-7.

Significance with Mitigation: Less than significant impact.

4.4.8 REFERENCES

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4.5 Cultural Resources

This section describes the regulatory framework and existing conditions related to cultural resources, evaluates the potential impacts that could occur as a result of implementation of the proposed project, and details mitigation measures needed to reduce significant impacts, as necessary.

4.5.1 Environmental Setting

4.5.1.1 Regulatory Framework

Federal Regulations

Archaeological Resources Protection Act of 1979

The Archaeological Resources Protection Act (ARPA) establishes penalties for damage, defacement, or unauthorized removal of archaeological artifacts from public land, or trafficking in any archaeological artifacts regardless of source. As amended in 1988, ARPA also requires federal land management agencies to conduct inventories of archaeological resources on the lands they administer.

Federal Land Policy and Management Act of 1976

The Federal Land Policy and Management Act (FLPMA) is the primary law governing how the Bureau of Land Management (BLM) manages public lands. FLPMA includes requirements that BLM manage lands to preserve scientific, scenic, historical, ecological, environmental, water resource, archaeological, and other values.

National Environmental Policy Act of 1969 (NEPA)

NEPA establishes a process of review for actions by federal agencies that affect the human environment. Every federal agency must create a NEPA implementing procedure that reflects its unique mission and mandate. All NEPA implementing procedures include public comment, interagency consultation, and comprehensive analysis and disclosure of project effects on the human environment. NEPA requires that agencies consider project alternatives that reduce environmental impacts, and that impacts are fully mitigated where mitigation is practicable.

The BLM NEPA implementing procedure includes consultation with Native American tribes, state, and local agencies as part of external scoping. The definition of potential project effects on the environment that must be analyzed under NEPA is open-ended, and the list of issues for a particular project is usually formulated during internal and external scoping based on comments from interested parties.

National Historic Preservation Act of 1966

The National Historic Preservation Act establishes the National Register of Historic Places (NRHP), the State Historic Preservation Offices (SHPO), and a review process for all federal projects that might affect sites listed or eligible for listing on the NRHP (Section 106 Review). The Section 106 review process includes consultation with the SHPO regarding potential impacts to historic sites, public comment, and requirements to avoid, minimize, or mitigate for impacts to historic sites.

Native American Graves Protection and Repatriation Act of 1990

The Native American Graves Protection and Repatriation Act (NAGPRA) includes requirements that all federal agencies and museums receiving federal funds consult with Native American individuals and tribes regarding the repatriation of Native American cultural items in their possession, and provides greater protection for Native American burial sites and cultural artifacts on federal lands. NAGPRA requires that federal agencies consult with Native American tribes whenever Native American cultural items are encountered or expected to be encountered on public lands, and specifies that excavation or removal of such items must conform to the procedures established in NAGPRA.

Cultural items are defined as:

Human remains and associated funerary objects

Associated funerary objects are objects that are presumed to have been placed with human remains as part of a death rite or ceremony, and that retain their association with remains that can be located.

Unassociated funerary objects

Unassociated funerary objects are objects that are presumed to have been placed with human remains as part of a death rite or ceremony but have lost their association with located remains either by natural disturbance or removal.

Sacred objects

Sacred objects are specific ceremonial objects which are needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present-day adherents.

Objects of cultural patrimony

Objects of cultural patrimony are objects having ongoing historical, traditional, or cultural importance central to the Native American group or culture itself, rather than property owned by an individual Native American. These objects must have been of such central importance to the group that they were owned communally and cannot have been conveyed, appropriated, or transferred by an individual.

State Regulations

Assembly Bill 52

Assembly Bill (AB) 52 adds consultation with Native American tribes to the approval process for all projects requiring discretionary permits and subject to CEQA (see below). Tribes inform local agencies that they wish to be informed of proposed actions, and agencies are required to consult with those tribes before taking actions that may affect tribal cultural resources.

California Environmental Quality Act of 1970

CEQA Guidelines establishes a process for the issuing of discretionary permits by all California public agencies. The process includes full public disclosure and analysis of a project's potential effects on the human environment, open public comment period(s), and written responses by agencies to public

comments. CEQA also requires agencies to consider project alternatives that reduce environmental impacts, and to ensure that environmental impacts are fully mitigated if mitigation is practicable. The human environment considered under CEQA includes agriculture, air quality, biological resources, geology and soils, greenhouse gases, hazards, historical and archaeological resources, land use and planning policies, mineral resources, noise, paleontological resources, population growth and housing, public services, recreation, traffic, tribal cultural resources, water quality, utilities, and visual resources.

Historical and archaeological resources are afforded consideration and protection by CEQA (14 CCR Section 21083.2, 14 CCR Section 15064). The CEQA Guidelines define significant cultural resources under two regulatory designations: historical resources and unique archaeological resources.
An historical resource is defined as a "resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register for Historic Resources (CRHR)"; or "a resource listed in a local register of historical resources or identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the [PRC]"; or "any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, provided the agency's determination is supported by substantial evidence in light of the whole record" (14 CCR Section 15064.5[a][3]). While Traditional Cultural Property (TCP) and cultural landscapes are not directly called out in the state definitions of historical resources, TCPs are places and cultural landscapes are areas, and places and areas are included as types of historical resources. Historical resources that are automatically listed in the CRHR include California historical resources listed in or formally determined eligible for the National Register of Historical Places (NRHP) and California Registered Historical Landmarks from No. 770 onward (PRC 5024.1[d]). Locally listed resources are entitled to a presumption of significance unless a preponderance of evidence in the record indicates otherwise.

Under CEQA, a resource is generally considered historically significant if it meets the criteria for listing in the CRHR. A resource must meet at least one of the following four criteria (PRC 5024.1; 14 CCR Section 15064.5[a][3]):

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage. Title 14, CCR Section 4852(b)(1) adds "is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States."
- Is associated with the lives of persons important in our past. Title 14, CCR Section 4852(b)(2) adds, "is associated with the lives of persons important to local, California, or national history."
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values. Title 14, CCR 4852(b)(3) allows a resource to be CRHR eligible if it represents the work of a master.
- Has yielded, or may be likely to yield, information important in prehistory or history. Title 14, CCR 4852(b)(4) specifies that importance in prehistory or history can be defined at the scale of "the local area, California, or the nation."

Historical resources must also possess integrity of location, design, setting, materials, workmanship, feeling, and association (14 CCR 4852[c]).

An archaeological artifact, object, or site can meet CEQA's definition of a unique archaeological resource, even if it does not qualify as a historical resource (14 CCR 15064.5[c][3]). An archaeological artifact, object, or site is considered a unique archaeological resource if "it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria (PRC 21083.2[g]):

- Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
- Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- Is directly associated with a scientifically recognized important prehistoric or historic event or person."

Within California state law, cultural resources are defined as buildings, sites, structures, or objects, each of which may have historical, architectural, archaeological, cultural, and/or scientific importance. All resources nominated for listing in the CRHR must have integrity; the authenticity of a historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance. Therefore, resources must retain enough of their historical character or appearance to convey the reasons for their significance. Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and/or association. It must also be judged with reference to the particular criteria under which a resource is proposed for nomination (Calif. PRC § 5024.1).

CEQA Guidelines, California Code of Regulations Title 14, Section 15064.5

When an initial study identifies the existence of, or the probable likelihood of, Native American human remains within the project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission (NAHC). A project proponent may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials with the appropriate Native Americans identified as the most likely descendant by the NAHC.

Discoveries of Human Remains under California Environmental Quality Act Public Law

California law sets forth special rules that apply where human remains are encountered during project construction. These rules are set forth in the CEQA Guidelines, Section 15064.5[e] as follows:

In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:

a) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
   i) The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required (as required under California Health and Safety Code Section 7050.5).
   ii) If the coroner determines the remains to be Native American:
      (1) The coroner shall contact the NAHC within 24 hours.

(2) The NAHC shall identify the person or persons it believes to be the most likely descended from the deceased Native American.
(3) The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods (as provided in [PRC] Section 5097.98), or

b) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.
   i) The [NAHC] is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.
   ii) The descendant identified fails to make a recommendation; or
   iii) The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the NAHC fails to provide measures acceptable to the landowner.

Public Resources Code §5024 *et seq.*

PRC Section 5024 requires that each state agency develop policies for the preservation and maintenance of all state-owned historical resources under its jurisdiction listed in, or potentially eligible for, inclusion in the NRHP; or registered or eligible for registration as a state historical landmark. Each state agency is required to submit updates to their inventory of all state-owned structures over 50 years of age under its jurisdiction listed in or which may be eligible for inclusion in the NRHP or registered or which may be eligible for registration as a state historical landmark. These inventories are used to create a master list maintained by the California Office of Historic Preservation (OHP). The State Historic Preservation Officer (SHPO) is supposed to be consulted by state agencies if any action would alter or affect any resources on this master list (PRC Section 5024.1). Additionally, Section 5024.1 establishes the CRHR as an authoritative guide for identifying which cultural resources are to be protected, to the extent prudent and feasible, from substantial adverse change. The CRHR eligibility criteria provide one of the bases for determining a cultural resource to be significant under CEQA.

Public Resources Code §5097.9 *et seq.*

PRC Section 5097.9 establishes that both public agencies and private entities using, occupying or operating on state property under public permit, shall not interfere with the free expression or exercise of Native American religion and shall not cause severe or irreparable damage to Native American sacred sites, except under special, determined circumstances of public interest and necessity. This section also creates the Governor-appointed nine-member NAHC, charged with identifying and cataloging places of special religious or social significance to Native Americans, identifying and cataloging known graves and cemeteries on private lands, and performing other duties regarding the preservation and accessibility of sacred sites and burials and the disposition of Native American human remains and burial items.

Under PRC Section 5097.5, all state and local agencies must cooperate with the NAHC by providing copies of appropriate sections of all CEQA environmental impact reports relating to property of special significance to Native Americans. The NAHC is required to investigate the effect of proposed actions by a public agency if these actions may either cause severe or irreparable damage to a Native American sacred site located on state property or inhibit access to that site.

The NAHC is authorized to recommend mitigation measures if it finds, after a public hearing, that a proposed action would result in that damage or interference and to request action from the Attorney General if these mitigation measures are not addressed. This section also includes requirements for landowners to limit further development activity on property where Native American human remains are found until that landowner confers with NAHC-identified most likely descendants to consider treatment options. It further enables those descendants, within 48 hours of notification by the NAHC, to inspect the discovery site and recommend to the landowner or the person responsible for the excavation the means to treat or dispose of the human remains and any associate grave goods with dignity. In the absence of a most likely descendant, or of a treatment acceptable to all parties, the landowner is required to reinter the remains elsewhere on the property in a location that will not be disturbed. Finally, this section makes it a felony to remove Native American artifacts or human remains from a Native American grave or cairn, as well as to acquire, possess, sell, or dissect Native American remains, funerary objects, or artifacts from a Native American grave or cairn and establishes the repatriation of these remains, funerary objects, and associated grave artifacts as state policy (PRC Section 5097.9, *et seq*.).

California Health and Safety Code Section 8010-8011: California Native American Graves Protection and Repatriation Act (2001)

This section establishes a state policy that is partially consistent with NAGPRA. It attempts to ensure that all Native American human remains and cultural items are treated with dignity and respect. It encourages the voluntary disclosure and return of remains and cultural items by publicly funded agencies and museums in California, and requires that the state provide to tribes the mechanisms necessary to file and follow up with repatriation claims (California Health and Safety Code Section 8010 8011, *et seq*.).

California Senate Bill 18 (California Government Code, Section 65352.3)

Pursuant to Senate Bill (SB) 18, local governments are required to consult with California Native American tribes identified by the NAHC for the purpose of protecting and/or mitigating impacts to cultural places. SB 18 requires formal consultation with Native American tribes as part of a project that enacts or amends a general plan or a specific plan.

Local Regulations

City of Bishop General Plan Conservation and Open Space Element

The Conservation/Open Space Element of the City of Bishop General Plan identifies significant natural and man-made resources that exist within the City and surrounding area and provides policies and actions for the preservation and best utilization of those resources. The Conservation/Open Space Element includes the following goals relevant to cultural resources:

- To protect the scenic historic resources within the City and surrounding area.
- To protect the cultural and historical resources that form Bishop's heritage for the enjoyment of the present and future population.

4.5.1.2 Cultural Setting

Prehistory

Archaeological sequences for the Great Basin and Mojave Desert regions are grouped into Late Pleistocene and Early, Middle, and Late Holocene time frames, with period definitions varying by region. These chronological divisions correlate with climatic and environmental changes and are continually being refined as new data are collected and dating techniques are improved.

Archaeological evidence left by highly mobile hunter-gatherers usually takes the form of sparse scatters of lithic artifacts and small features such as hearths, small rock rings, and milling features. These remains may represent short-term encampments, but the repeated return to specific locations over long periods of time may nevertheless result in substantial archaeological deposits. Archaeological sites in desert regions of California are often limited to surface assemblages that lack datable organic materials or stratigraphic associations, and therefore archaeologists working in these regions rely largely on variations in projectile point morphology to place sites in time.

Late Pleistocene

Paleoindian Period (Pre-9500 Before Present [B.P.])

Little is known about the human occupation of this region during the Late Pleistocene. Fluted projectile points characteristic of the Paleoindian period have been documented in scattered locations throughout the western Mojave Desert and southwestern Great Basin, but with few exceptions these points have been found as isolates in undatable surface contexts, and therefore have been associated with the Paleoindian period solely on the basis of their morphological similarity to securely dated Clovis projectile points from the Great Plains and Southwest regions (Dillon 2002:115; Sutton 1996). Excavations at China Lake during the 1970s uncovered fluted points associated with burned, extinct megafaunal material (Davis 1975), providing convincing evidence that there was human occupation in the region during the terminal Pleistocene. Examples of fluted Paleoindian projectile points have been recovered in the immediate vicinity of the proposed project (Dillon 2002: Table 1), and include a fragment of an obsidian Clovis point recovered from the Rose Spring site (CA-INY-372), located approximately 30 miles south of Lone Pine (Yohe 1992a). Other tools associated with the Paleoindian period are large side scrapers, blades struck from prepared cores, and a mixture of expedient flaked tools (Justice 2002:73).

Extinct lakeshore and wetland environments are of particular interest to archaeologists who are studying the late Pleistocene and early Holocene—Bryan and Tuohy (1999) assert that “an economic adaptation to the presence of an existing shallow freshwater lake and the bioresources available in and around it clearly was the most important factor in the organization of the annual round followed by early prehistoric occupants of the Great Basin.” During the wet, cool Pleistocene, basin-and-range topography caused most Great Basin lakes to follow a sequence of fluctuations punctuated by overflows, rather than to exist as a steady-state system of continuously incoming and outgoing streams. Lakes along the eastern edge of the Sierra Nevada Mountains were arranged as a chain, and during times of high precipitation and glacial melt, each lake would fill up to its overflow point and spill downriver to the next lake in the chain. Lake Russell (which encompassed the present-day Mono Lake) was the farthest north in the chain; water would flow south in turn through Adobe and Owens lakes, through Rose Valley to China and Searles lakes, and then up north into Panamint Lake (Grayson 1993). Sediment investigations have shown that Owens Lake last overflowed sometime before 15,300 B.P., or

before the earliest evidence of humans in the area (Bacon et al. 2006). Dorn et al. (1990) compared their own radiocarbon dates with the results from other researchers, and arrived at highstand dates of 10,500 B.P. for Searles Lake, 10,000 B.P. for Lake Manly and no later than 9220 B.P. for Lake Mojave.

Early Holocene

Lake Mohave Period (9500 to 6000 B.P.)

The people that lived in the western Mojave Desert and southwestern Great Basin were profoundly affected by environmental changes during the gradual Pleistocene-Holocene transition. Temperatures became warmer but remained cooler and moister than today, and the region became marked by shallow lakes and marshes that were biologically very productive, surrounded by desert vegetation typical of later time periods, especially white bursage and later creosote bush (Grayson 1993:199). Some low-elevation locales retained juniper and sagebrush habitats. By the early Holocene, warmer temperatures, reduced precipitation, and the eventual dehydration of the pluvial lakes likely led to irregularities in the distribution and abundance of resources (Sutton et al. 2007:237).

These climatic changes created the need for an increasingly diversified subsistence strategy, reflected in the archaeological materials associated with the Mojave period. Hallmark artifacts consist of Great Basin stemmed and concave-base projectile points and some highly formalized flake tools, such as scrapers, gravers, bifaces, and occasionally crescents. Unifacial, plano-convex cores, flake cores, and battered stone tools, as well as unshaped handstones and thin-or thick-slab millingstones, have been found in association with early land-use in the region (Basgall 2007:170). In many Early Holocene sites in the Mojave and Great Basin deserts these tools are manufactured of non-local materials, suggesting that they were produced by highly mobile populations. This, coupled with the relative lack of groundstone tools in most Early Holocene assemblages, has led to the commonly held assumption that Mojave period groups were characterized by low population density and a subsistence regime that focused on hunting. Not all archaeologists share this view, however—Eerkens et al. (2007) argue that Mojave period sites in the Coso Basin show evidence of relatively dense populations that exploited a wide range of environments and were no more mobile than Middle or Late Holocene groups. Sutton et al. (2007:237) suggest that gradually drying pluvial lake basins were abandoned by prehistoric people during this period in favor of the eastern front of the Sierra Nevada, where a regular recharging of catchments created a rich patchwork of resources.

Middle Holocene

Little Lake Period (5950 to 3150 B.P.)

The Middle Holocene climate, although arid compared to the periods before and after, was still highly variable, with multiple oscillations between wetter and drier conditions occurring throughout. Although the lakes and marshes of the early Holocene receded during the early part of the period, streams and springs in the region may have still maintained water flow from nearby ranges, providing suitable water sources to sustain human activity, albeit at low densities (Aikens 1978; Basgall 2000; Jenkins and Warren 1984; Sutton 1996). Vegetation communities capable of supporting large game animals became limited to a few isolated areas. Settlement patterns adapted, shifting to upland settings where sources of water still existed (Sutton 1996). The latter part of the Little Lake period was punctuated by a cool and moist interval around 3800 B.P., when several hydrographically closed lakes (including Mono, Pyramid, Searles, Diamond Pond, Silver, and likely Owens lakes) reached their Holocene high stands (Stine 2003).

The Little Lake period is marked by the appearance of Little Lake and Pinto series projectile points. These thick points with an indented or bifurcate base, robust basal ears, and weak shoulders were first defined by Elizabeth and William Campbell in 1935 in the Pinto Basin, approximately 200 miles southwest of Owens Lake (Campbell and Campbell 1935). Other similarly ancient point styles include varied side-and corner-notched forms such as Fish Slough Side-notched (Basgall et al. 1995) and "thick Elko" forms identified by Gilreath and Hildebrandt (1997). Other artifacts diagnostic of the period include large and small leaf-shaped bifaces, domed and heavy-keeled scrapers, numerous core and cobble tools, large metates and milling slabs, and shaped and unshaped handstones. Very small artifact assemblages and only occasional time-markers typify many middle Holocene sites (Basgall and Delacorte 2012:2-8). The best known expression of the Little Lake period in the vicinity of the project area occurs at the Stahl Site, located on the northern end of Little Lake, approximately 12 miles south of the project area (Harrington 1957).

Many archaeologists interpret these diverse artifact assemblages as a response to the onset of drier conditions. The presence of both hunting tools and milling equipment appears to represent a move from the strict exploitation of high-ranked food items, such as large animals, to a more diversified subsistence strategy (Sutton et al. 2007:237; Warren and Crabtree 1986). The use and abundance of milling equipment, particularly prepared basins, notably increases, and thin slab pieces of non-local stone were used, with both features suggesting intensification of plant exploitation. Faunal remains continued to focus on large and small terrestrial game, with the addition of fish (Delacorte et al. 1995; Gilreath 1995:17).

Late Holocene

The climate of the prehistoric late Holocene approximates that of today, with cooler and moister conditions than the middle Holocene but drier than the early Holocene. Plant communities took on their modern distributions, but as in the middle Holocene, the climate was highly variable, and many lake levels fluctuated, at times dramatically, throughout the period. At least two major droughts likely occurred in the Sierras, at c. 1050 to 840 B.P. and 740 to 600 B.P., resulting in low lake levels throughout the western Great Basin (Stine 1994, 2003). These droughts were followed by a cooler and wetter period from 600 to 200 B.P., which raised Owens Lake to its second highest stand of the late Holocene (Cleland and Spaulding 1992; Stine 2003). Increases in population, trade, and social complexity accompanied the more favorable climate, and evidence of restricted seasonal movement and larger settlements appears early in this period (Bettinger 1999; Sutton et al. 2007).

Newberry Period (3150 to 1350 B.P.)

The Newberry period reveals that significant cultural change had occurred across east-central California, focused on shifting settlement-subsistence systems and resource intensification. The scant data marking the first 1,500 years of this period suggest that the middle Holocene adaptive pattern of small, highly mobile groups remained unchanged (Gilreath 1995). Newberry period settlements near Bishop (Bettinger et al. 1984) and near Lone Pine (Basgall and McGuire 1988) reveal lowland settlements defined by midden accumulations, diversified artifact and ecofact assemblages, and house structures used as seasonal base camps by multiple households (Basgall and Delacorte 2012:2-9). Relatively large seasonal residential bases at Rose Spring (CA-INY-372) and Portuguese Bench (CA-INY-2284) are also associated with this period. Temporary camps have been documented in both lowland and upland contexts, typified by a narrow range of hunting or plant procurement activities. Wide-ranging mobility patterns are indicated by high obsidian material variability and the abundant use of exotic toolstone.

Settlement shifts appear organized along a north–south axis that traversed the length of Great Basin valleys, including Owens Valley (Basgall and Delacorte 2012:2-9; see Basgall 1989; Basgall and McGuire 1988; Delacorte 1990, 1999; Delacorte et al., 1995), with logistical forays made to nearby mountain areas.

The Newberry period was characterized by dart-point size projectile points in notched or eared (Elko), concave base (Humboldt), and small-stemmed (Gypsum) forms. In addition to diagnostic projectile points, assemblages included leaf-shaped points, rectangular-based knives, flake scrapers, T-shaped drills, and, occasionally, large scraper planes, choppers, and hammerstones (Warren 1984:416).

The early Newberry (c. 3150–2000 B.P.) archaeological record derives primarily from sites situated with reference to water, including lakeside areas near Olancha (Byrd and Hale 2003) and streamside deposits along McGee Creek (Basgall et al. 2003). Associated cultural assemblages stem from smaller deposits, houses are rare or absent, and occupational intensity remains similar to that inferred for the middle Holocene (Basgall and Delacorte 2012:2-9).

The late Newberry period (c. 2000–1350 B.P.) marks the emergence of a logistically and well-organized adaptive pattern that included regularized use of long-term residential bases; smaller, serially reoccupied transient camps; communal hunting/butchering localities; quarry and stone working camps; and hunting and gathering stations (Basgall and Delacorte 2011, 2012; Basgall and McGuire 1988; Bettinger 1989, 1991; Delacorte 1990, 1991, 1999; Delacorte and McGuire 1993; Delacorte et al. 1995; Gilreath 1995; Yohe 1992b; Zeanah and Leigh 2002). Evidence is present for the construction of elaborate hunting facilities, well-built houses, and caches of non-portable or specialized gear. Lithic resources focused on obsidian, to the near absence of earlier (early and middle Holocene) materials, such as microcrystalline, basalt, and rhyolite.

Settlement and subsistence data reveal that specialized task groups made short- and long-term logistical forays to procure food resources. Animal remains provide evidence of a broadening subsistence base, with an emphasis on small and large mammal and waterfowl. Plant resources remain an important resource, as evidenced by large quantities of well-fashioned milling equipment and paleobotanical remains, including pine nuts and other seeds.

The north-to-south orientation of the Newberry period settlement and subsistence pattern is underscored by toolstone sourcing data. Basgall and Delacorte (2011) demonstrated that Newberry site components located north of Lone Pine contained almost equal proportions of Long Valley and Coso obsidian, and suggest that these quarries mark the general northern and southern extent of the annual round. Obsidian exploitation of the Coso Volcanic field remained confined to lag quarries for the first half of the Newberry period, but after approximately 2300 B.P., the economic importance of obsidian exchange networks expanded dramatically. Obsidian production shifted to the mining of primary, high-quality seams in a limited number of quarries. Large bifacial cores and early-stage bifaces were produced at the quarries, and further reduced to biface blanks and tool preforms at off-quarry biface production sites. These bifaces were traded heavily with neighboring groups, and ultimately ended up being used by groups throughout southern California, particularly in Los Angeles County, Ventura County, the Kern Plateau, and the southern Sierra Nevada mountains (Gilreath and Hildebrandt 1997).

Haiwee Period (1350 to 650 B.P.)

Smaller Rose Spring and Eastgate series projectile points appear in the archaeological record by the onset of the Haiwee period at 1350 B.P., signaling with the introduction of the bow and arrow to the region (Yohe 1998). Despite a generally deteriorating climate, further population growth and territorial constriction occurred during this time. By the end of the Haiwee period, local groups "…operated within annual ranges so small they were made sedentary virtually by default" (Bettinger 1999:49). Biface types prevalent during the Newberry period were largely replaced by abundant simple flake tools (Gilreath 1995:18). Obsidian, derived from the nearest source, remained the principal toolstone. Groundstone tools reveal a similar trend toward more casual, unshaped artifacts. Collectively, these artifact data suggest a shift to more expediently manufactured tool kits that were less functionally diverse and dependable, implying that Haiwee period peoples were less mobile and foraged more intensively around one or a few locales, lessening the need for tool transport (Gilreath 1995:18). A decline in, and subsequent abandonment of, logistical hunting camps implies that most hunting and other resource procurement was conducted from a few relatively fixed settlements (Gilreath 1995:18).

Until recently, archaeologists working in the region have generally accepted Bettinger's (1977, 1989) argument that nucleated semi-permanent settlements were established on the valley floor at the onset of the Haiwee period, and that this settlement pattern persisted until ethnographic times (Steward 1938). Using these settlements as a base, local populations staged logistically organized forays into the Sierra foothills to exploit piñon nuts (*Pinus monophylla*) and other tree crops. Other researchers (Basgall and Delacorte 2011; Delacorte and Basgall 2004) argue that the settlement patterns of Haiwee populations were more flexible and locally mobile, and that the sites that appear to be semi-permanent villages in the archaeological record likely represent shorter-term camps that were used repeatedly. Either way, evidence for resource intensification is prevalent, complementing the pattern of increased settlement centralization. Also noted have been high-cost extractive and storage strategies for pine nuts, ricegrass, and other seeds, as well as selective hunting of certain small mammals. It is likely that this increased reliance on relatively labor-intensive resources was as much the result of changes in social organization (including a shift from band to household organization and increased privatization of resources) as it was to population pressure and resource depletion (Bettinger 2015; Eerkens 2009; Eerkens and Spurling 2008). Both the introduction of the bow and arrow and the adoption of logistical foraging strategies may correspond with the expansion of Numic-speaking groups, which many researchers believe emanated from southeastern California about 1000 B.P. (Bettinger and Baumhoff 1982; Grayson 1993).

The overall number of quarries mined at the Coso Volcanic field shrank greatly during the Haiwee period, yet Coso obsidian was still commonly used in the outlying areas, suggesting that a limited number of groups enjoyed relatively exclusive access to obsidian quarries and exchange networks (Gilreath and Hildebrandt 1997). The presence of marine shell ornaments, coupled with the localized trading of finely crafted chert bifaces manufactured and distributed between groups in northern Owens, Deep Springs, and other valleys, suggests increasingly complex intra- and inter-regional interaction (Bettinger 1989; Delacorte 1988, 1999; Gilreath 1995:18).

Marana Period (650 B.P. to Contact)

During the Marana period (650 B.P. to contact), the stemmed arrow points of the Haiwee period were replaced with Desert Side-notched and Cottonwood series projectile points. Resource intensification and specialization are suggested by an increased variety of tool forms, the use of new technologies such

as ceramics and the mortar and pestle, the use of extensive storage facilities, and increased diversity in archaeological site locations. Seasonal forays for animal hunting and vegetal procurement (e.g., pine nut, seed crops, and roots) occurred from specialized sites in specific habitat environments. Settlement systems included both seasonally occupied temporary camps and semi-permanent winter encampments, the latter sited with reference to fuel, water, multiple habitat types for foraging, and access to cached resources such as seeds, pine nuts, and other crops (Basgall and Delacorte 2012:10-9). Evidence for east–west travel has been noted, focused on trans-valley movement of both people and materials, possibly in response to periodic failures or local resource shortfalls (Basgall and Delacorte 2011, 2012:10-10).

Adaptive trends characterizing the late prehistoric record note the establishment of larger, more sedentary populations, and the continuing expansion of Numic speakers across the Great Basin (Bettinger and Baumhoff 1982). Between 1000 and 600 B.P., obsidian exports from the Coso Volcanic Field appear to have essentially ended (Gilreath and Hildebrandt 1997). These changes may be related partly to a series of droughts that began about 1,000 years ago and affected much of the area east of the Sierra Nevada range (Stine 1994).

Ethnography

Owens Valley Paiute

The Owens Valley Paiute, or Numu*,* occupied the Owens Valley region from just south of Mono Lake to the area south of Owens Lake. At contact, populations were estimated between 1000 to 3000 individuals (Bettinger 1977; Busby et al. 1979; Wilke and Lawton 1976). Their subsistence economy incorporated hunting, gathering, fishing, horticulture and trade (Busby et al. 1979).

Individual and communal hunting of jackrabbit, deer, mountain sheep, antelope and the cottontail rabbit contributed to the meat supply (Fowler and Walter 1985). Especially important to the Owens Valley Paiute were piñon pine *(Pinus edulis)* nuts, and the seeds of Indian rice-grass *(Oryzopsis hymenoides),* Great Basin wild rye *(Leymus cinereus*), and love grass *(Eragrostis orcuttiana)* (Lawton et al. 1976). Other valued plants for food, medicine, or fiber included wax currant (*Ribes cereum*), Hooker's evening primrose *(Oenothera elata),* Indian hemp *(Apocynum cannabinum*), narrowleaf milkweed (*Asclepias fascicularis*), green ephedra *(Ephedra viridis),* desert prince's plume (*Stanleya pinnata),* bitterbrush *(Prushia tridentate),* yarrow *(Achillea millefolium),* Nevada jointfir *(Ephedra nevadensis),* and Mojave aster *(Xylorhiza tortifolia).* A fishing industry, utilizing a wide variety of capture methods, exploited the Owens River and its nearby tributaries for Owens pup fish (*Cyprinodon radiosus*), Tui chub *(Gila bicolor),* and Owens sucker *(Catostomus fumeiventris).* Pandora moth *(Coloradia pandora)* larvae were harvested seasonally by the Paiute. These moths proliferated in cycles about every two years, and the Paiute would harvest them by digging shallow trenches around pine trees to capture the larvae, which would fall from the boughs prior to metamorphosis (Fowler and Walter 1985). Trading supplemented the Paiute hunting, fishing, gathering, and horticulture economy. Expeditions in the summer and fall were conducted with neighboring Western Mono Paiute, Mono Lake Paiute, and Miwok of the southern Sierra to exchange salt, piñon, baskets, obsidian, and rabbit-skin blankets for shell money, glass trade beads, acorns, and other goods (Busby et al. 1979). Bishop was the hub for most trade and visitation expeditions going west over the Sierra (Liljeblad and Fowler 1986).

Irrigation was used, and probably independently invented, by the Owens Valley Paiute to increase the natural yield of several root and seed plants through the construction of diversion dams and ditches (see

Bouey 1979; Lawton et al. 1976; Steward 1930). The maintenance and operations of the irrigation system was controlled by the *tuvaijü,* the head irrigator who would determine when to flood particular plots. Fields would be left fallow in alternating years. In 1856, a surveying party led by Von Schmidt were the first whites to record the Owens Valley Paiute irrigation ditches—albeit unknowingly. The irrigation system was apparently so large that Von Schmidt did not recognize it for what it was (Lawton et al. 1976:22). The greatest concentration of such systems occurred in the northern end of the Owens Valley near the present town of Bishop. On each side of Bishop Creek was an irrigated plot, a northern one measuring about 4 by 1.5 miles, and a southern plot approximately 2 miles square. The irrigation system for these fields consisted of a dam on Bishop Creek about a mile below the Sierra Nevada Mountains and a main ditch leading to each plot. The northern ditch was over 2 miles long and the southern more than 3 miles long; both were immense earthworks the size of modern canals (Steward 1930:151, 157).

The Owens Valley Paiute subsistence-settlement adaptation emphasized a more-or-less permanent year-round village occupation with short-term utilization of temporary camps for hunting and the gathering of seasonally available plant resources (Busby et al. 1979). Four major biotic communities were important to aboriginal subsistence in the upper Owens Valley (Bettinger 1977). The distribution and seasonal availability of these resources had an impact on Paiute settlement strategies.

The riparian community along the well-watered margins of the Owens River offered mollusks, fish, and migrant waterfowl, along with plant resources such as tule and cattail. Temporary camps were established for communal fishing along rivers in the spring, and for communal game drives in the fall. The zone between the riverine community and coniferous woodland foothills on either side of the valley was dominated by a desert scrub community consisting of low shrubs and seed-bearing grasses. Exploited fauna in the desert scrub included small rodents, pronghorn antelope (*Antilocapra americana*), and in the colder months, mule deer (*Odocoileus hemionus*) and bighorn sheep (*Ovis canadensis*) (Bettinger 1977). Settlements were situated in this environ in the spring, summer, and early fall. Other subsistence activities included procuring a variety of seeds and roots within close proximity to established base camps; these were then processed and stored for delayed consumption. Temporary camps were also utilized to target more distant seasonally available plant resources in riparian and desert scrub communities.

Another important community was the piñon woodland, which generally occurs at elevations above 6,500 feet in the Inyo and White Mountains. Key resources in this community were the piñon nut or *tuba*, along with large ungulates such as deer and sheep in the summer. Small groups occupied mountain piñon camps and stayed in pole structures called *wagoni* for the fall harvest. In years with unusually high mast, habitation at piñon camps might last throughout the winter; however, the winter was typically spent at lowland occupation sites (Bettinger 1977). The final community relevant to aboriginal settlement patterns is the upper sagebrush zone, which encompasses open meadows and depressions within the piñon woodland. Major food resources were deer, mountain sheep, and antelope, animals that were pursued in the summer and early fall months by small hunting parties based out of temporary camps (Bettinger 1977).

The Owens Valley Paiute sociopolitical system was based on the concept of a district. A district was comprised of a single large autonomous village or a cluster of several smaller villages. Villages were composed of related families, and marriage was usually exogamous to the village (Busby et al. 1979). Village populations varied in size from 100 to 250 individuals with a headman to delegate responsibilities for communal activities such as game drives and ditch construction. Each district owned and defended a core territory that included irrigation plots, piñon groves, hunting and fishing grounds,

and other prized resource procurement locations. Certain piñon groves and irrigated plots were subdivided among families, and these plots would be passed down through inheritance (Busby et al. 1979).

The Paiute were (and are) skilled basket-makers. They wove with willow, tule, or plant fiber and utilized their creations as burden baskets and fish traps. Duck decoys for hunting were made from tule. The Paiute were renowned for their woven rabbit skin blankets, which was a popular trade item with their western Sierra neighbors. The Paiute made exceptional bows. Preferably, staves were harvested from old living juniper trees, which were prepared years in advance before harvesting the sections of wood. The Owen Valley Paiute utilized sweathouses or *musa,* and conducted annual social dances called *fandangos*.

Western Shoshone

Although their traditional range occurs just outside the project area, the Western Shoshone certainly interacted with the Owens Valley Paiute and a brief description of their lifeways seems appropriate here. The Western Shoshone, or *Newe*, occupied a large territory that included the area immediately south and east of Owens Lake and extended north and northeast through Nevada and Utah. They shared the territory near Owens Lake with the Owens Valley Paiute (Liljeblad and Fowler 1986; Steward 1938:Figure 1). The Shoshone and Paiute spoke different varieties of Central Numic, which is a component of the Numic branch of the Uto-Aztecan family. Central Numic is composed of three different languages: Panamint, Shoshone, and Comanche (Thomas et al. 1986).

According to Steward (Steward 1938) the valleys where most of the Shoshone populations resided were not abundant in resources, thus prohibiting large groups from remaining in one place for longer periods of time. In addition, a high reliance on piñon, whose yield varied from year to year, generated a less sedentary way of life among the Shoshone. Other plants consumed by the Shoshone included acorns from the Sierras and a type of sunflower (Irwin 1980:17). From spring to fall, the Shoshone traveled in small groups collecting foods, following the availability of resources. During the winter months, groups of families stayed in warmer places near food caches and accessible water. According to Irwin, the Shoshone also practiced a form of incipient agriculture by irrigating wild plants, as did the Owens Valley Paiute (Irwin 1980:xi). Hunting activities were also part of the Shoshonean way of life. Bighorn sheep hunts were carried out mostly during the summer, while during winter months, hunting activities were focused on migrating species (Thomas 1983).

Shoshone families were politically independent and remained isolated throughout most of the year (Steward 1938:56). However, marriage took place between families that had contact with one another, such as during plant collection trips or communal hunting. Marriage was more a contract between families than between individuals. The preferred arrangement for marriage among the Shoshone consisted of several marriages between the children of two families.

History

The first Euro-Americans to visit the region were probably mountain men and prospectors. It has been suggested that trappers following Jedediah S. Smith crossed the Owens Valley in 1829; however, their exact route has not been firmly established (Chalfant 1933:93). Another expedition came through the area in 1831 under the leadership of Peter Skene Ogden, a trapper for the Hudson Bay Company. The first organized expedition through the area was made around 1834 by fur trapper Joseph Reddeford

Walker. In 1843, Walker led the J.B. Childs (Chiles) party to California by way of the Humboldt Sink, Walker Lake, Owens Valley, and Walker Pass. The Hudson Bay Company and other parties of American trappers continued hunting throughout the region, until the early 1840s when the trapping industry rapidly declined. By 1842, the Hudson's Bay Company terminated its California operations due, in part, to diminished yields and low profits (Thompson 1957). In 1856, a surveying party led by Von Schmidt was the first to record much of the Owens Valley and Mono Basin, including the area around present-day Bishop (Lawton et al. 1976). He characterized the area as "splendid land", and noted that the local Indians subsist primarily "on pinenuts, fish, and hares" (Chalfant 1933:72-73). Large influxes of miners began entering the Owens Valley following this expedition.

The establishment and growth of the mines led to an increasing need for stock and produce. With few roads the transportation of goods in the area was challenging, and commercial advantages were enjoyed by local farms and ranches. The Bishop area became valuable as an agricultural center because it was close to the mines and possessed relatively reliable water. This was recognized by Samuel A. Bishop, who left Fort Tejon in July of 1861 with about 500 head of cattle bound for the Owens Valley. By late August he arrived on Bishop Creek, about 3 miles west of downtown Bishop, and established the Saint Francis Ranch. Samuel Bishop had departed the area by 1862, when a town called Bishop Creek was established near the ranch. The town grew, and in April 1903 was incorporated to be the City of Bishop (City of Bishop 2021).

By 1866 the County had been formed from land that had been set aside from Mono and Tulare Counties. Inyo County was originally named Coso County, with Independence designated as the County seat (Inyo County 2001).

Continued discoveries motivated the development of improved transportation links. In the 1880s, homesteader John Shepherd employed Paiute men and women as field workers and laborers on a toll road to the Panamint and Darwin mines east of the Owens Valley. By 1883, the Carson and Colorado Railroad was built on the east side of the Owens Valley south to Keeler. The town of Laws, located approximately four miles northeast of Bishop, was built as a railroad stop along the line. It provided a means of shipping ore, livestock and crops, and also established a connection between the remote Owens Valley and the transcontinental rail line in Carson City. The end of mining in the Owens Valley rendered the rail line obsolete, and it ceased operation in 1960, though some precious metals continued to be mined.

In 1910, California voters approved a bond issue to acquire and construct a State highway system; the early phases of development planned to pave the 220 miles of road between Mojave and Bridgeport. The first work done was in the Eastern Sierra on a 10-mile stretch of the Sherwin Hill Wagon Road north of Bishop; prior to being paved, the road was a popular route for local cattle herders to move their livestock for transhumance in the fall and early summer (Vaughan et al. 2011). Paving was completed in 1916 and celebrated with a large barbeque in Rock Creek Canyon that was attended by nearly a thousand people. By 1931, a hard surface road was completed from Los Angeles to Bishop, originally called El Camino Sierra, but later known as Highway 395 (LADWP 2013).

4.5.1.3 Areas of Potential Effects

The Areas of Potential Effects (APE) for the proposed project are defined as the geographic areas where project activities may directly or indirectly cause changes in the character or use of historical resources

of prehistoric or historic age, if any such resources exist. The current APE measures 302.4 acres, and corresponds to the Specific Plan Area as described in Section 2.2 and shown on **Figure 2.2-2**.

4.5.1.4 Built Environment Resources Directory

Data for this analysis were taken from the California Office of Historic Preservation's (OHP's) Built Environment Resources Directory (BERD), provided on August 5, 2021 by the Eastern Information Center (NCIC) at University of California, Riverside. The BERD provides information regarding non-archaeological resources in the OHP inventory that have been reviewed for eligibility to the NRHP, the CRHR, and the California Historical Landmarks programs through federal and state environmental compliance laws, and resources nominated under federal and state registration programs.

It should be noted that the BERD contains information only for cultural resources that have been processed by the OHP, and not subsurface archaeological resources or built environment resources that remain unevaluated for eligibility to federal and/or state registers.

Listed Resources

Only one built environment resource has been listed on the OHP's BERD: the site of the Kittie Lee Inn, located on the 101-175 block of East Pine Street (1/2 block east of North Main Street; no precise address is provided). The Kittie Lee Inn was a hotel opened in 1924 by Matt Wilkenson; after the hotel was purchased the following year by William R. Whorff it because a popular travel stop for Hollywood celebrities. During World War II the Bishop Airport became a training center, and the inn's dining room was used as a barracks. The Copper Kettle Restaurant and Charlie's Room bar were added to the property in 1946. In 1965 the inn was demolished, and in 1975 the remainder of the buildings were sold to Sam Walker. Walker reconstructed the property as the Whiskey Creek Restaurant and Bar (HMDB 2016). The Kittie Lee Inn is a California Point of Historical Interest, but has not been evaluated for inclusion in the CRHR or NRHP.

4.5.1.5 Native American Consultation and Outreach

NAHC Sacred Lands File Search

HELIX requested a search of the Sacred Lands File (SLF) maintained by the Native American Heritage Commission (NAHC) for the proposed project. On October 13, 2021, the NAHC provided the SLF search results, which were negative. However, absence of specific cultural resource information in the SLF does not negate the potential presence of cultural resources within the Downtown Bishop Specific Plan and Mixed-Use area. As outlined in the tribal consultation and outreach efforts described below, the City requested cultural resource information from the tribes noted on the SLF search results.

Senate Bill 18 and Assembly Bill 52 Consultation

On November 8, 2021, the City of Bishop transmitted written requests for consultation with multiple tribal representatives to the following eight tribal governments that previously requested consultation under SB 18:

- Big Pine Paiute Tribe
- Bishop Paiute Tribe

- Cabazon Band of Mission Indians
- Fort Independence Indian Community of Paiutes
- Lone Pine Paiute-Shoshone Tribe
- Timbi-sha Shoshone Tribe
- Walker River Reservation
- Wuksache Indian Tribe

Also on November 8, 2021, the City transmitted written requests for consultation with multiple tribal representatives to the following three tribal governments that previously requested consultation under AB 52:

- Big Pine Paiute Tribe
- Bishop Paiute Tribe
- Cabazon Band of Mission Indians

As of December 21, 2021, the City had not received request for consultation under either SB 18 or AB 52 from any of the tribal governments that had been contacted.

4.5.2 Significance Thresholds

In accordance with Appendix G of the CEQA Guidelines, the proposed project would have a significant impact associated with cultural resources if the project would:

1. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5;

2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5; or

3. Disturb any human remains, including those interred outside of formal cemeteries.

4.5.3 Impact Analysis

CUL-1 The proposed project may cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5

The proposed project could result in a substantial adverse change in the significance of unevaluated or undiscovered historical resources through ground disturbance on developed and undeveloped parcels. Data for this analysis were limited only to information related to cultural resources that have been processed by the OHP, and not to archaeological resources or built environment resources that remain undiscovered and/or unevaluated for eligibility to federal or state registers. However, the City of Bishop and surrounding area have a rich history of human occupation dating back thousands of years, and the prevalence of potentially significant cultural resources in the region suggests that any land development within the Downtown Bishop Specific Plan and Mixed-Use Overlay areas has the potential for significant adverse effects to unknown and unevaluated historical resources. Implementation of Mitigation Measure CUL-1 would address unanticipated discoveries of historical resources, and the proposed project's potential impacts to unknown historical resources would be reduced to below the level of significance.

Review of the OHP's BERD file determined that one historic-era resource, the Kittie Lee Inn, was located within the project's APE. The Copper Kettle Restaurant and Charlie's Room bar were added to the property in 1946, prior to the Inn's demolition in 1965, and were later renamed the Whiskey Creek Restaurant and Bar. Although this resource is listed as a California Point of Historical Interest the extant structures have not been evaluated for inclusion in the CRHR. Should the resource prove to qualify as a historical resource under CEQA it could be directly affected by implementation of the proposed project, resulting in a potentially significant impact. Likewise, implementation of the proposed project may directly affect other known and unknown cultural resources if they prove to qualify as historical resources under CEQA. If these historical resources cannot be avoided, substantial adverse changes to the significance of historical resources resulting from implementation of the proposed project would be reduced to below the level of significance through the implementation of Mitigation Measure CUL-2, which is in accordance with CEQA Guidelines.

Significance without Mitigation: Potentially significant impact.

Mitigation Measure CUL-1 Inadvertent Discovery of Archaeological Resources

In the event that archaeological resources are exposed during ground-disturbing activities, construction activities (e.g., grading, grubbing, or vegetation clearing) shall be halted in the immediate vicinity of the discovery. An archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards shall then be retained to evaluate the resource's significance under CEQA. If the discovery proves to be significant, additional work, such as data recovery excavation, may be warranted and shall be discussed in consultation with the City.

Mitigation Measure CUL-2: Cultural Resources Investigations

The City of Bishop shall ensure that potentially impacted prehistoric and historic-era cultural resources, whether they are archaeological resources or historic (built environment) resources, be assessed to determine if they qualify as historical resources as defined in CEQA Guidelines Section 15064.5(a). Resources found to be not significant shall not require mitigation.

Archaeological Resources

Per CEQA Guidelines Section 15064.5(c), archaeological sites that fail to qualify as historical resources under CEQA must also be assessed to determine if they qualify as unique archaeological resources as defined in PRC Section 21083.2(g). Impacts to those sites found to be significant, either as historical resources or as unique archaeological resources, shall be mitigated to below the level of significance, most often through a Phase III data recovery program.

Phase II Evaluations

Archaeological resources shall be assessed for significance through the implementation of Phase II investigations prior to the initiation of construction activities in those areas where the sites are located. This may require some or all of the following:

- Development of a research design that guides assessments of site significance and scientific potential.
- Mapping and systematic collection of a representative sample of surface artifacts

- Subsurface investigation through shovel test pits, surface scrapes, or 1 by 1 meter excavation units; a combination of such methods; or equivalent methods
- Analysis of recovered material to determine significance pursuant to the CEQA Guidelines
- Preparation of a report, including an evaluation of site significance, and recommendations for mitigation, if appropriate
- Appropriate curation of collected artifacts

Phase III Mitigation

A Phase III data recovery effort, in accordance with CEQA Guidelines, shall be implemented by the City of Bishop for those sites determined to be significant through Phase II testing and evaluation. The City shall ensure that data recovery conducted to the level that reduces impacts to below the level of significance has been completed prior to project implementation for any area containing a site determined to be significant and for which it can be demonstrated that consequential scientific information can be recovered. The Phase III data recovery program shall include:

- Development of a comprehensive research design to answer questions addressed during the Phase II on a broader regional level and to provide a procedural framework for the collection of data at sites determined to be significant
- Mapping and systematic collection of surface artifacts, possibly complete data recovered depending on site size
- Subsurface investigation through methods, such as controlled hand-excavation units, machine excavations, deep testing, or a combination of methods. When applicable, other techniques, such as geophysical testing methods, may also be used
- Analysis of recovered material through visual inspection and chemical analysis when applicable
- Preparation of a report
- Appropriate curation of collected artifacts

Historic (Built Environment) Resources

Historic (built environment) resources are typically structures and properties that make up the historically built environment. Most frequently, these include buildings constructed during the historic period, but historic resources may also include cultural landscapes, objects, places, or linear features such as roads or walls. In general, a property must be at least 50 years of age to be considered for an assessment of significance. There are exceptions for properties that are less than 50 years of age that are of exceptional significance.

Phase I Investigation and Evaluation

Phase I investigations of historic resources include both an inventory and significance evaluation of the resources. The purpose of this investigation is to analyze and present the data relevant for determining if the resource is a significant historical resource per CEQA Guidelines Section 15064.5 (a)(3)(A-D), including a careful evaluation of the seven aspects of integrity. Phase I investigations of historic resources include historical research, an inspection of the property, and an evaluation of the presence of significant historic resources. Historical research includes review of all appropriate documents, including site records, maps, and other appropriate archival materials including pertinent grantor-grantee land ownership title record data for the period of historical significance.

Phase II Impact Assessment

If the Phase I work results in the identification of significant historic resources, then a Phase II investigation is conducted to assess the impacts of the proposed project and formulate appropriate mitigation measures. Avoidance and preservation in place is always the preferred mitigation. Mitigation measures may include, but are not limited to, preservation in place, restoration, rehabilitation, reconstruction, relocation, and documentation through drawings, plans, and photographs.

Phase III Mitigation

Phase III work for historic resources which are not completely avoided involves carrying out the mitigation proposed under Phase II. Phase III historic resource reports document the mitigation measures that were carried out and include the documentation produced.

- CEQA recognizes that a project that follows the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings* or the *Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historical resource (CEQA Guidelines Section 15064.5(b)(3)).

- Relocation of an historical resource may constitute an adverse impact to the resource. However, in situations where relocation is the only feasible alternative to demolition, relocation may mitigate below a level of significance provided that the new location is compatible with the original character and use of the historical resource and the resource retains its eligibility for listing on the California Register (14 CCR § 4852(d)(1)).

- In most cases the use of drawings, photographs, and/or displays does not mitigate the physical impact on the environment caused by demolition or destruction of an historical resource (14 CCR § 15126.4(b)). However, CEQA requires that all feasible mitigation be undertaken even if it does not mitigate below a level of significance. In this context, recordation serves a legitimate archival purpose. The level of documentation required as a mitigation should be proportionate with the level of significance of the resource.

Significance with Mitigation: Less than significant impact.

CUL-2 The proposed project may cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5

The proposed project could result in a substantial adverse change in the significance of unevaluated or undiscovered archaeological resources through ground disturbance on developed and undeveloped parcels. Implementation of Mitigation Measure CUL-1 would address unanticipated discoveries of archaeological resources, and the proposed project's potential impacts to unknown archaeological resources would be reduced to below the level of significance.

If unknown or unevaluated unique archaeological resources cannot be avoided, substantial adverse changes to the significance of unique archaeological resources resulting from implementation of the proposed project would be reduced to below the level of significance through the implementation of Mitigation Measures CUL-1 and CUL-2 above, which is in accordance with CEQA Section 21083.2.

Significance without Mitigation: Potentially significant impact.

See Impacts CUL-1 for Mitigation Measures CUL-1 and CUL-2.

Significance with Mitigation: Less than significant impact.

CUL-3 The proposed project may disturb human remains, including those interred outside of formal cemeteries

Implementation of the proposed project has the potential to result in unanticipated discovery of human remains through discovery of unknown burial sites. Substantial adverse changes to the significance of human remains resulting from implementation of the proposed project would be reduced to below the level of significance through the implementation of Mitigation Measure CUL-3, which is in accordance with CEQA Guidelines Section 15064.5(e).

Significance without Mitigation: Potentially significant impact.

Mitigation Measure CUL-3: Human Remains

The discovery of human remains is always a possibility during a project. If such an event did occur, the specific procedures outlined by the NAHC, in accordance with Section 7050.5 of the California Health and Safety Code and Section 5097.98 of the Public Resources Code, must be followed:

1. All excavation activities within 60 feet of the remains will immediately stop, and the area will be protected with flagging or by posting a monitor or construction worker to ensure that no additional disturbance occurs.

2. The project owner or their authorized representative will contact the City of Bishop Coroner.

3. The coroner will have two working days to examine the remains after being notified in accordance with HSC 7050.5. If the coroner determines that the remains are Native American and are not subject to the coroner's authority, the coroner will notify NAHC of the discovery within 24 hours.

4. NAHC will immediately notify the Most Likely Descendant (MLD), who will have 48 hours after being granted access to the location of the remains to inspect them and make recommendations for their treatment. Work will be suspended in the area of the find until the County approves the proposed treatment of human remains.

Significance with Mitigation: Less than significant impact.

4.5.4 Cumulative Impacts

CUL-4 The proposed project may result in cumulative impacts to cultural resources.

Cumulative cultural resource impacts may occur when a series of actions leads to the loss of historically or archaeologically significant type of site, building, deposit, or tribal cultural resource. For example, while the loss of a single historic building may not be significant to the character of a neighborhood or streetscape, continued loss of such historical resources on a project-by-project basis could amount to a significant cumulative effect. As discussed above, with the implementation of Mitigation Measures CUL-1 and CUL-2 for the discovery, assessment, and mitigation of cultural resources during construction, the proposed project would have less than significant impacts on cultural resources. However, the analysis of cumulative impacts to cultural resources is based on impacts of the proposed project plus the other cumulative projects in the City of Bishop.

As shown in Table 4-1 City of Bishop Cumulative Projects List, nine projects are proposed in and around the City of Bishop. Two of the projects included in this list are housing developments within the Bishop city limits, the Silverpeaks Affordable Housing Project and the Kingston Subdivision. The Inyo County Vacant Lands Inventory project proposes zoning and General Plan land use amendments to allow for additional housing development on parcels adjacent to the City of Bishop. The Bishop Paiute Tribe Hotel project proposes to add a hotel to the existing casino in Bishop. Other cumulative projects include the City of Bishop 2021 Housing Element Update, the expansion of commercial airline service at Bishop Airport, located to the east of the City, and several small public works projects such as sewer trunk and bridge replacement. As such, each cumulative project that would be subject to CEQA would be required to assess its potential impacts to cultural resources. Mitigation measures conducted for each cumulative project would ensure that impacts to cultural resources are minimized to the maximum extent feasible. Therefore, with implementation of Mitigation Measures CUL-1 and CUL-2 and the requirement for the other cumulative projects subject to CEQA to adopt similar measures, no cumulatively considerable impact to Tribal Cultural Resources would occur with approval of the proposed project.

Significance without Mitigation: Potentially significant impact.

See Impacts CUL-1 for Mitigation Measures CUL-1 and CUL-2.

Significance with Mitigation: Less than significant impact.

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4.6 Energy

This section describes the regulatory framework and existing conditions on the subject property related to energy, evaluates the potential impacts that could occur as a result of implementation of the proposed project related to energy, and details mitigation measures needed to reduce significant impacts, as necessary.

4.6.1 Environmental Setting

This section provides an evaluation of existing energy production/consumption conditions and potential energy use and related impacts from the project. The units of energy used in this section are the British thermal units (BTU), megawatt hours (MWh)[1], therms, and gallons. A BTU is the quantity of heat required to raise the temperature of one pound of water one °F at sea level. Because the other units of energy can all be converted into equivalent BTU, the BTU is used as the basis for comparing energy consumption associated with different resources. A MWh is a unit of electrical energy, and one MWh is equivalent to approximately 3.413 million BTU (MBtu), taking into account initial conversion losses (i.e., from one type of energy, such as chemical, to another type of energy, such as mechanical) and transmission losses. Natural gas consumption is described typically in terms of cubic feet or therms; one cubic foot of natural gas is equivalent to approximately 1.05 MBTU, and one therm represents 0.1 MBTU. One gallon of gasoline/diesel is equivalent to approximately 0.125/0.139 MBTU, respectively, taking into account energy consumed in the refining process.

4.6.1.1 Regulatory Framework

Federal Regulations

Energy Independence and Security Act of 2007

House of Representatives Bill 6, the federal Energy Independence and Security Act of 2007, established new standards for a few energy-consuming equipment types not already subject to a standard, and updated some existing standards. The most substantial new standard that House of Representatives Bill 6 established is for general service lighting that is being deployed in two phases. First, phased in between 2012 through 2014, common light bulbs were required to use about 20 to 30 percent less energy than previous incandescent bulbs. Second, by 2020, light bulbs were required to consume 60 percent less energy than previous incandescent bulbs; this requirement will effectively phase out the incandescent light bulb.

State Regulations

Renewable Energy Programs and Mandates (SB 1078, SB 107, SB 2 X1, SB 350 and SB 100)

A series of substantive and far-reaching legislative initiatives have been advanced at the State level in the last two decades. These initiatives focused on increasing the generation of electricity via renewable energy sources and promoting a shift from fossil- or carbon-based fuels as a key strategy to reduce GHG emissions, air pollution, and water use associated with the energy sector.

[1] MWh is the most common measure or electrical energy when discussing utility-scale electrical generation. Kilowatt hours (kWh; 1,000 kWh = 1 MWh) and gigawatt hours (GWh; 1,000 MWh = 1 GWh).

In 2002, California established the Renewables Portfolio Standard (RPS) with Senate Bill (SB) 1078, requiring electric utilities in the State to increase procurement of eligible renewable energy resources to achieve a target of 20 percent of their annual retail sales by the year 2010. In 2011, Governor Jerry Brown approved the California Renewable Energy Resources Act, SB 2 X1. SB 2 X1 legislatively broadens the scope of the State RPS to include retail electricity sellers; investor- and publicly owned utilities; municipal utilities; and community choice aggregators under the mandate to obtain 33 percent of their retail electrical energy sales from renewable sources by 2020.

Approved by Governor Brown on October 7, 2015, SB 350 increases California's renewable electricity procurement goal from 33 percent by 2020 to 50 percent by 2030. This will increase the use of RPS eligible resources, including solar, wind, biomass, and geothermal. In addition, large utilities are required to develop and submit Integrated Resource Plans to detail how each entity will meet their customers resource needs, reduce GHG emissions, and increase the use of clean energy.

Approved by Governor Brown on September 10, 2018, SB 100 extends the renewable electricity procurement goals and requirements of SB 350. SB 100 requires that all retail sale of electricity to California end-use customers be procured from 100 percent eligible renewable energy resources and/or zero-carbon resources by the end of 2045.

California Energy Plan

The California Energy Commission (CEC) is responsible for preparing the State Energy Plan, which identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The plan calls for the State to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the fewest environmental and energy costs. To further this policy, the plan identifies a number of strategies, including providing assistance to public agencies and fleet operators.

Local Regulations

The City of Bishop's General Plan does not contain any goals or policies related to energy resources (City of Bishop 1993).

Inyo County General Plan

Although the City of Bishop General Plan does not currently include any goals, policies, or implementation measures specifically related to energy resources, the Conservation and Open Space Element of the Inyo County General Plan was updated in 2014 with an Energy Efficiency chapter that contains several policies which indirectly address global climate change.

- **Policy EE-1.2.** The County will continue to evaluate energy use and reduction targets as a way to promote energy efficiency throughout the County and as a means to reduce operating costs.

- **Policy EE-1.3.** The County will continue to implement the action items identified in the 2012 Energy Action Plan to meet its overall energy reduction goals as long as those actions will result in savings to the County from reduced energy usage.

Inyo County Energy Action Plan

An Energy Action Plan was prepared for Inyo County in October 2012 with the purpose of outlining a strategy to reduce energy use and costs throughout the County. The plan establishes a long-term vision for energy efficiency, identifies reduction goals and milestones, provides potential energy reduction policies and procedures, and presents potential funding mechanisms for energy efficiency projects.

4.6.1.2 Existing Conditions

State Energy Supply

Electricity

California's electricity needs are satisfied by a variety of entities, including investor-owned utilities, publicly owned utilities, electric service providers, and choice aggregators.[2] As of 2018, California electricity demand totaled 285,488 gigawatt hours (GWh). In-state generating facilities accounted for about 194,842 GWh, or 68 percent of the total electric power used in the State, with the remaining electricity coming from out-of-state imports (CEC 2019a).

Since deregulation in 1998, the CEC has licensed or given small power plant exemptions to 91 power plants, including:

- 66 projects representing 22,965 MW currently on-line;
- 4 projects totaling 2,635 MW currently under construction or pre-construction;
- 2 projects totaling 795 MW currently on hold or under suspension; and
- 15 projects totaling 5,844.5 MW approved but then cancelled by applicants, or license expired or terminated before construction.

In addition, as of October 2021, the CEC had five proposed projects under review, totaling approximately 453 MW (CEC 2021). One additional geothermal steam turbine project, representing a total of 250 MW, has been announced but has not yet filed with the CEC.

On the demand side, Californians consumed 284,060 GWh of electricity in 2017; this is a decrease from the 285,434 GWh demanded in 2016 (CEC 2018). CEC staff forecasts of future electricity demand anticipate that consumption will grow by between 0.99 and 1.59 percent per year from 2017 to 2030, with peak demand forecasts growing by 0.30 to 1.52 percent annually from 2017 to 2030 (CEC 2018).

Natural Gas

Natural gas continues to play an important and varied role in California. In 2012, nearly 45 percent of the natural gas burned in California was used for electricity generation, and much of the remainder was consumed in the residential (21 percent), industrial (25 percent), and commercial (9 percent) sectors (CEC 2019b). Natural gas supplies are currently plentiful and relatively inexpensive as a result of

[2] Community choice aggregation is authorized in California by AB 117 (Chapter 836, Statutes of 2002), which allows cities, counties, and groups of cities and counties to aggregate the electric load of the residents, businesses and institutions within their jurisdictions to provide them electricity.

technological advances that allow recovery of natural gas from formations such as shale reservoirs that were previously inaccessible. However, potential environmental concerns are causing decision makers to reexamine the development of shale resources and consider tighter regulations, which could affect future natural gas supplies and prices.

Transportation Fuels

Automobiles and trucks consume gasoline and diesel fuel, which are nonrenewable energy products derived from crude oil, which in turn is derived from petroleum. In addition to energy consumption associated with on-road vehicle use, energy is consumed in connection with construction and maintenance of transportation infrastructure. Passenger cars and light-duty trucks are by far the largest consumers of transportation fuel. Retail sales of transportation fuel in California totaled 15.6 billion gallons of gasoline and 1.9 billion gallons of diesel in 2017 (CEC 2018).

Regional Electricity Supply

Electricity within Inyo County, including the City of Bishop, is primarily provided by two service providers: LAWDP and SCE. LADWP and Southern California Edison are the providers of electricity in Inyo County. LADWP has transmission lines that run along the east side of the Owens Valley, beginning in the Owens River Gorge and continuing into the San Fernando Valley. The Southern California Edison transmission line service area includes Inyo County and has ties into LADWP lines (Inyo County 2001). Certain areas of Inyo County to the east of Chicago Valley are provided electricity by Las Vegas Power and Light through an agreement with SCE. The LADWP has a 500kV transmission line which traverses the Owens Valley corridor. SCE also has a 115kV transmission line traversing the Owens Valley corridor, which serves San Bernardino, Kern, Inyo, and Mono counties and has ties into LADWP lines (Inyo County 2013). Unless the demand for electrical generating capacity exceeds estimates, and provided that there are no unexpected outages to major sources of electrical supply, these electric power providers are expected to meet electrical requirements with current facilities for the next several years (Inyo County 2001).

4.6.1.3 Methodology

The proposed project's direct electricity and natural gas consumption as well as the indirect electricity consumption from water/wastewater sourcing, transport, and treatment were estimated from the air quality and GHG emissions project modeling completed using the California Emissions Estimator Model (CalEEMod), Version 2020.4.0, as described Sections 4.3, Air Quality, and 4.8, Greenhouse Gas Emissions, of this EIR. Fuel consumption factors in terms of gallons per hour of diesel for off-road equipment were calculated using data from the CARB Mobile Source Emissions Inventory online database–OFFROAD2021 version 1.0.1 (CARB 2022a). Fuel consumption factors, in terms of gallon of diesel and gasoline per mile travel, were calculated from the CARB Mobile Source Emissions Inventory online database–EMFAC2021 version 1.0.1 (CARB 2022b). The energy calculation sheets are included as Appendix D to this EIR.

Energy usage from transportation sources is associated with project-related vehicle trip generation and trip length. Based on the CalEEMod defaults, the total annual VMT for the project is estimated to be 7,781,416 miles.

Project building energy consumption was estimated assuming the CalEEMod default multi-family residence floor area for Inyo County of 1,000 SF (CAPCOA 2021), and implementation of energy-reducing

project design features to comply with the 2019 Title 24 standards which include a requirement for on-site generation of electricity through photovoltaic (solar) panels. In accordance with 2019 Title 24, a 1,000 square-foot multi-family dwelling unit in Inyo County (CEC climate zone 16) would require solar panels producing a minimum of 1.81 kW (CEC 2019c). The annual electricity generated by a rooftop mounted 1.81 kW solar power system varies by the climate, amount of sunlight available per day, the pitch and orientation of the roof, and the efficiency of the electrical transmission. The term used to account for this variability is Capacity Factor. Using a conservative (low) statewide average capacity factor of 20 percent, the estimated electrical solar power produced by each of the project's dwelling units is 3,171 kWhr, or 1,182,827 kWhr per year for 373 residential units. The solar generation requirement calculation sheets are included as Appendix D.

Indirect energy consumption from water/wastewater sourcing and treatment was estimated based on the CalEEMod indoor and outdoor water use estimates from the GHG emissions analysis contained in Section 4.8, and from CalEEMod default values for water/wastewater electricity use intensity factors for Inyo County (CAPCOA 2021).

4.6.2 Significance Thresholds

According to Appendix G of the CEQA Guidelines, the following criteria may be considered in establishing the significance of energy consumption:

1. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation;

2. Conflict with or obstruct a State or local plan for renewable energy or energy efficiency.

The CEQA Guidelines Appendix F, Energy Conservation, provides guidance for EIRs regarding potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing the inefficient, wasteful and unnecessary consumption of energy. In addition, though not described as thresholds for determining the significance of impacts, Appendix F seeks inclusion of information in an EIR addressing the following topics:

- The project's energy requirements and its energy-use efficiencies by amount and fuel type for each stage of the project, including construction, operation, maintenance, and/or removal. If appropriate, the energy intensiveness of materials may be discussed.

- The effects of the project on local and regional energy supplies and on requirements for additional capacity.

- The effects of the project on peak and base period demands for electricity and other forms of energy.

- The degree to which the project complies with existing energy standards.

- The effects of the project on energy resources.

- The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

4.6.3 Impact Analysis

ENE-1 The proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy resources.

Construction

Energy consumed for project construction would primarily consist of fuels in the form of diesel and gasoline. Fuel consumption would result from: the use of on-road trucks for the transportation of construction materials and water; construction worker vehicles traveling to and from the project site; and from the use of off-road construction equipment. The estimated fuel and total energy consumed during project construction is shown in **Table 4.6-1**. The full construction energy consumption calculation sheets are included as **Appendix D** to this EIR.

Table 4.6-1
CONSTRUCTION ENERGY USE

Source	Gallons Diesel	Gallons Gasoline	MBtu
Off-Road Construction Equipment	7,930	-	1,102
On-Road Construction Traffic	3,151	1,651	642
TOTAL			**1,745**

Source: CalEEMod; OFFROAD2021; EMFAC2021.
MBtu = million British thermal units.

While construction activities would consume petroleum-based fuels, consumption of such resources would be temporary and would cease upon the completion of construction. The petroleum consumed during project construction would be typical of similar residential projects and would not require the use of new petroleum resources beyond those typically consumed in California annually for construction activities. Based on these considerations, construction of the project would not result in wasteful, inefficient, or unnecessary consumption of energy resources and the impact would be less than significant.

Operation

During long-term operation of the project, energy would be consumed in the form of diesel and gasoline used by vehicles traveling to and from the project site; natural gas for heating and hot water; electricity required to source and treat water used by the project; and electricity used directly by the project. The project's net electricity use calculation accounts for the on-site solar generation requirement, as described in the Methodology Section, above. The project's estimated annual operational energy use (for the first full year of operation—2024) in gallons of fuel, electricity, and equivalent MMBtu is shown in **Table 4.6-2**. The energy calculation sheets are included in **Appendix D** to this EIR.

Table 4.6-2
OPERATIONAL NET ENERGY USE

Source	Quantity	Energy (MMBtu)
Gasoline (Gallons)	277,073	34,357
Diesel (Gallons)	23,906	3,323
Natural Gas (kBtu)	6,072,168	6,072
Electricity (kWh)	1,277,313	4,358

TOTAL[1]		**48,110**

Source: CalEEMod; OFFROAD2021; EMFAC2021.
MWh = megawatt hours; MBtu = million British thermal units.
[1] Totals may not sum due to rounding.

The project would result in a net increase in annual energy consumption of approximately 48,110 MMBtu. While the proposed project would result in the consumption of gasoline, diesel, electricity and natural gas, the increase would consistent overall with the energy projections for the state and the region to meet the demands of anticipated future residential growth in the state and region. Implementation of the project would not require the construction of new regional facilities and sources of energy. Therefore, operation of the project would not result in wasteful, inefficient, or unnecessary consumption of energy resources and the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

ENE-2 The proposed project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency.

The 2019 Title 24 Part 6, Building Energy Efficiency Standards, and 2019 Title 24 Part 11, CALGreen, include provisions applicable to all buildings, which are mandatory requirements for efficiency and design. The project would be consistent with the requirements of Title 24 through implementation of energy-reduction measures, such as energy efficient lighting and appliances, water efficient appliances and plumbing fixtures, and water efficient landscaping and irrigation. Therefore, the project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency, and the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

4.6.4 Cumulative Impacts

ENE-3 The proposed project would not contribute to significant cumulative impacts on regional energy supplies and sources.

Potential cumulative impacts on energy would result if the proposed project, in combination with past, present, and future projects, would result in the wasteful or inefficient use of energy. This could result from development that would not incorporate sufficient building energy efficiency features, not achieve building energy efficiency standards, or would result in the unnecessary use of energy during construction and/or operation. Projects that include development of large buildings or other structures that would have the potential to consume energy in an inefficient manner would have the potential to contribute to a cumulative impact.

Cumulative projects that include long-term energy demand, such as residential developments, would be subject to California Code of Regulations Title 24 Part 6 (building energy efficient standards) and California Code of Regulations Title 24 Part 11 (CALGreen), which provides energy efficiency standards for commercial and residential buildings. Title 24 part 6 and 11 implement increasingly stringent energy efficiency standards that would require the project and the other cumulative projects to minimize the wasteful and inefficient use of energy. In addition, 2019 Title 24 Part 6 requires most residential buildings with three or fewer stories, approved on or after January 1, 2020, to provide on-site solar electricity generation.

In consideration of cumulative energy use, the proposed project would not contribute to a substantial demand on energy resources or services such that new regional energy facilities would be required to be constructed as a result of the incremental increase in energy demand resulting from the proposed project. Therefore, the project's contribution to cumulative energy demand would be less than cumulatively considerable.

Significance without Mitigation: Less than significant impact.

4.6.5 References

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Inyo, County of. 2014. Conservation and Open Space Energy Efficiency Chapter. Available at: https://www.inyocounty.us/sites/default/files/2020-04/EnergyEfficiencyChapter8.10.pdf.

4.7 Geology and Soils

This section describes the regulatory framework and existing conditions related to geology and soils, evaluates the potential impacts that could occur as a result of implementation of the proposed project, and details mitigation measures needed to reduce significant impacts, as necessary.

4.7.1 Environmental Setting

Implementation of the proposed project would be subject to a number of regulatory requirements and industry standards related to potential geologic hazards. These requirements and standards typically involve measures to evaluate risk and mitigate potential hazards through design and construction techniques. Specific guidelines encompassing geologic criteria that may be applicable to the design and construction of the proposed project include: (1) International Code Council, Inc.; International Building Code (IBC; International Building Code Council, Inc. 2006); and the related California Building Code (CBC; CCR Title 24, Part 2); (2) The California Seismic Hazards Mapping Act (Public Resources Code [PRC] Division 2, Chapter 7.8, Section 2690 et seq.); (3) The Alquist-Priolo Earthquake Fault Zoning Act (PRC Division 2, Chapter 7.5, Section 2621 et seq.); and (4) applicable standards of the City, including the General Plan Safety Element. Summary descriptions of the listed geologic standards are provided below and are incorporated into the discussion of impacts in Section 4.7.3 as applicable. Discussion of erosion-related issues and associated requirements under federal, state, and City standards is discussed below.

4.7.1.1 Regulatory Framework

Federal Regulations

International Building Code

The International Building Code, which encompasses the former Uniform Building Code (UBC), is produced by the International Code Council, Inc. to provide standard specifications for engineering and construction activities, including measures to address geologic and soil concerns. Specifically, these measures encompass issues such as seismic loading (e.g., classifying seismic zones and faults), ground motion, and engineered fill specifications (e.g., fill composition, compaction levels and moisture content). The referenced guidelines, while not comprising formal regulatory requirements per se, are widely accepted by regulatory authorities and are routinely included in related standards such as local development codes. The IBC guidelines are regularly updated to reflect current industry standards and practices including criteria such as the American Society of Civil Engineers and ASTM International (formerly known as the American Society for Testing and Materials).

U.S. Geological Survey Landslide Program

To fulfill the requirements of Public Law 106-113, the US Geological Survey (USGS) created the National Landslide Hazards Program to reduce long-term losses from landslide hazards by improving the understanding of the causes of ground failure and suggesting mitigation strategies. The Federal Emergency Management Agency (FEMA) is the responsible agency for the long-term management of natural hazards.

Paleontological Resources Preservation Act

The federal Paleontological Resources Preservation Act of 2002 limits the collection of vertebrate fossils and other rare and scientifically significant fossils to qualified researchers who have obtained a permit from the appropriate state or federal agency. Additionally, it specifies that these researchers must agree to donate any materials recovered to recognized public institutions, where they will remain accessible to the public and to other researchers. This Act incorporates key findings of a report, Fossils on Federal Land and Indian Lands, issued by the Secretary of the Interior in 2000, which establishes that most vertebrate fossils and some invertebrate and plant fossils are considered rare resources.

State Regulations

Alquist-Priolo Earthquake Fault Zoning Act

California's Alquist-Priolo Act (PRC Section 2621 et seq.) is intended to reduce risks to life and property from surface fault rupture during earthquakes. The Alquist-Priolo Act prohibits the location of most types of structures intended for human occupancy across the traces of active faults and strictly regulates construction in the corridors along active faults capable of surface rupture or fault creep (earthquake fault zones). Generally, the required setback is 50 feet from an active fault trace. The act also defines criteria for identifying active faults and establishes a process for reviewing building proposals in and adjacent to earthquake fault zones.

The Alquist-Priolo Act establishes "earthquake fault zones" and strictly regulates construction along or across zones that are sufficiently active and well defined. A fault is considered sufficiently active if one or more of its segments or strands shows evidence of surface displacement during Holocene time (defined for the purposes of the act as referring to approximately the last 11,700 years). A fault is considered well-defined if its trace can be identified clearly by a trained geologist at the ground surface, or in the shallow subsurface using standard professional techniques, criteria, and judgment (CGS 2018).

Seismic Hazards Mapping Act

Like the Alquist-Priolo Act, the Seismic Hazards Mapping Act of 1990 (PRC Sections 2690-2699.6) is intended to reduce damage resulting from earthquakes. While the Alquist-Priolo Act addresses surface fault rupture, the Seismic Hazards Mapping Act addresses other earthquake-related hazards, including strong ground shaking, liquefaction, and seismically induced landslides. Its provisions are similar in concept to those of the Alquist-Priolo Act – the state is charged with identifying and mapping areas at risk of strong ground shaking, liquefaction, landslides, and other corollary hazards; and cities and counties are required to regulate development within mapped seismic hazard zones.

Under the Seismic Hazards Mapping Act, permit review is the primary mechanism for local regulation of development. Specifically, cities and counties are prohibited from issuing development permits for sites within seismic hazard zones until appropriate site-specific geologic and/or geotechnical investigations have been carried out and measures to reduce potential damage have been incorporated into the development plans. Geotechnical investigations conducted within seismic hazard zones must incorporate standards specified by California Geological Survey Special Publication 117a, Guidelines for Evaluating and Mitigating Seismic Hazards in California (CGS 2008).

California Building Standards Code

The California Building Standards Code (CBSC) (24 California Code of Regulations) provides the minimum standards for structural design and construction. The CBSC is based on the previously discussed IBC, which is used widely throughout the United States (generally adopted on a state-by-state or district-by-district basis) and has been modified for California conditions with numerous, more detailed or more stringent regulations. The CBSC requires that "classification of the soil at each building site will be determined when required by the building official" and that "the classification will be based on observation and any necessary test of the materials disclosed by borings or excavations". In addition, the CBSC states that "the soil classification and design-bearing capacity will be shown on the (building) plans, unless the foundation conforms to specified requirements." The CBSC provides standards for various aspects of construction including, but not limited to, excavation, grading, and earthwork construction; fills and embankments; expansive soils; foundation investigations; and liquefaction potential and soil strength loss. In accordance with California law, certain aspects of the project would be required to comply with all provisions of the CBSC.

The CBSC requires extensive geotechnical analysis and engineering for grading, foundations, retaining walls, and other structures, including criteria for seismic design.

California Public Resources Code

Several PRC sections protect paleontological resources. Section 5097.5 prohibits "knowing and willful" excavation, removal, destruction, injury, and defacement of any paleontological feature on public lands (lands under state, county, city, district, or public authority jurisdiction, or the jurisdiction of a public corporation), except where the agency with jurisdiction has granted express permission. Section 30244 requires reasonable mitigation for impacts on paleontological resources that result from development on public lands.

Local Regulations

General Plan

The Safety Element of the City of Bishop's General Plan contains the following goals and policies related to geology and soils:

- Goals:
    - To minimize potential hazards to public health, safety, and the wellbeing of the community resulting from natural and man-made hazards.
- Policies:
    - All developments proposed within flood prone areas must incorporate design solutions and strategies to minimize impacts related to flood hazards.

    - The City will require new buildings to incorporate earthquake mitigation construction techniques according to the Uniform Building Code.

4.7.1.2 Existing Conditions

Geologic Hazards

The City of Bishop is located in the Owens Valley, a seismically and geologically active portion of California. The Fish Slough Fault is situated between the eastern City limit and the Bishop Airport, creating the potential for an earthquake that could result in property damage, injury, or loss of life depending on magnitude. Topography within the City is relatively flat and therefore presents a lower risk for serious erosion to occur.

The eastern side of the Sierra Nevada mountain range, which includes the City of Bishop, is seismically active and has the potential to produce earthquakes. The Fish Slough fault is located approximately 0.5 miles east of the eastern City limit and is the only known active fault in proximity to the project area. The Fish Slough Fault zone runs south of Bishop, extending north to the Benton area. Trenching in the Bishop area indicates a vertical fault displacement ranging from three to six feet. The fault displacement in the Fish Slough are more dramatic with a vertical displacement ranging from at least 300 feet of caprock composed of Bishop Tuff, extending some two miles long by one third of a mile wide, to break into three blocks. These blocks are approximately 400 feet in elevation between the upper and lower ends of the blocks. Further slipping and tilting is possible and may occur in the event of a sizeable earthquake (City of Bishop 1993).

The Owens Valley is a basin surrounded by mountain ranges where alluvium has been deposited by fluvial action (stream). Water runoff velocities have been sufficiently slow to allow accumulation of silts and fine sands on the valley floor. The ground water under the valley floor is shallow enough to suggest potential liquefaction problems.

The City of Bishop's General Plan recommends that a site-specific preliminary soils report, prepared by a civil engineer registered by the State of California, be required for development of future high occupancy and/or public facilities if the proposed site may be prone to liquefaction. This report should assess the potential for liquefaction induced ground failures and make recommendations to mitigate this seismic hazard. In cases where it is not possible to mitigate the hazard to the level appropriate to the intended land use, permits for the proposed development should not be approved.

Geologic Setting

The project site is located in the Basin and Range Geomorphic Province, a region generally characterized by north-south trending block-faulted mountain ranges (horsts), intervening down-dropped alluvial valleys (grabens), associated fault structures (as outlined below), and internal drainage. The Basin and Range Province extends from southern Oregon to central Mexico, and incorporates portions of several states including California, Oregon, Idaho, Utah, Nevada, Arizona, and New Mexico. In east-central California, the Basin and Range Province extends approximately 270 miles along the eastern flank of the Sierra Nevada Province to the west, and borders the Mojave Desert Province to the south. This portion of the Basin and Range Province varies in width from approximately 20 to 85 miles, and encompasses all of Inyo County as well as portions of Mono, Kern, and San Bernardino counties.

For much of the Paleozoic Era (between approximately 550 and 240 million years ago), the current Basin and Range Province was covered by a vast, shallow sea, with associated deposition of extensive sedimentary deposits such as limestone and sandstone. Subsequent periods of metamorphism and tectonic compression altered the sedimentary rocks and resulted in a number of thrust fault deposits,

wherein older strata are pushed (or thrust) up to overlie younger rocks. Beginning in the early Miocene Epoch (approximately 22 million years ago), a period of crustal extension (stretching and thinning) began in the western U.S., resulting in the formation parallel normal faults (with predominantly vertical offset) and the associated Basin and Range horst and graben structure described above. Subsequent uplift of the Sierra Nevada during the Quaternary Period (approximately the last 1.6 million years) has produced extensive local topographic relief, with only 80 miles separating the highest and lowest points in the contiguous U.S. (i.e., Mount Whitney at 14,505 feet above mean sea level, and Badwater Basin at 282 feet below mean sea level). The Sierra Nevada also generates a substantial rain shadow effect to the east, with much of the Basin and Range Province exhibiting arid conditions.

Geologic conditions within Inyo County reflect the Basin and Range structural and topographic profiles described above. Specifically, the County includes several uplifted horst mountain blocks (e.g., portions of the Sierra Nevada, Inyo/White and Panamint mountains), intervening and down-dropped graben valleys (e.g., Owens, Saline, Panamint, Eureka, and Death valleys), and related parallel (or sub-parallel) faults. Associated stratigraphy includes units ranging in age from Precambrian (more than approximately 550 million years old) to Holocene (less than approximately 11,000 years old), with a mix of igneous, metamorphic, and sedimentary deposits, as outlined below (CDC 2015).

Stratigraphy

Precambrian Strata

Precambrian deposits occur in portions of the White/Inyo Mountains in areas east and southeast of Bishop, the Panamint and Grapevine/Funeral mountains in the southern and eastern portions of the County (along the western and eastern boundaries of Death Valley, respectively), and the Amargosa and Nopah ranges in the southeastern portion of the County. Associated strata consist primarily of metasedimentary rocks exhibiting varying degrees of alteration, such as limestone, conglomerate, shale, quarzite, gneiss and marble.

Paleozoic Strata

Paleozoic rocks occur in many of the noted areas of Precambrian exposures (either separately or in association with the Precambrian strata), as well as in areas including the Inyo Mountains east of Owens Lake and the northern Panamint Mountains. These units include similar metasedimentary strata as described for Precambrian rocks, as well as localized minor pyroclastic deposits (i.e., fragmented volcanic materials such as ash and tuff derived from explosive volcanic events).

Mesozoic Strata

Mesozoic-age strata (between approximately 240 and 65 million years old) include granitic igneous intrusive rocks in the eastern-most portion of the Sierra Nevada Batholith (a large igneous intrusive body), portions of the northern and central White/Inyo Mountains (including the Inyo and Hunter Mountain batholiths), the southern Panamint Mountains, the Coso Range, and the Argus Mountains in the southwestern portion of the County. Minor exposures of undifferentiated Mesozoic volcanic and metavolcanic rocks also occur in areas including the central White/Inyo Mountains (northeast of Owens Lake) and the southern Panamint Mountains.

Tertiary Strata

Tertiary-age rocks (between approximately 65 and 1.6 million years old) in the County consist primarily of volcanic deposits, including extensive exposures in the central and southern White/Inyo Mountains, the southern Panamint Mountains, and portions of the northern Grapevine/Funeral Mountains and Amargosa Range. These units encompass large fields of flow-type deposits (e.g., basalt flows), as well as pyroclastic materials.

Quaternary Strata

Quaternary deposits include extensive alluvial materials in most local valleys and on local alluvial fans; scattered older sedimentary rocks (mostly poorly consolidated sandstone and shale, some of which may be Tertiary in age) in various areas including the White/Inyo, Argus, Coso, Panamint and Grapevine/Funeral mountains; and minor glacial deposits in the eastern Sierra Nevada. In addition, relatively large exposures of Quaternary flow and pyroclastic volcanic deposits are present in areas including the northwestern (Owens Valley) and southwestern (Argus Range and Coso Mountains) portions of the County.

Holocene Strata

Holocene deposits include younger alluvial and eolian (wind-derived) materials in the larger valleys, as well as native topsoil. Alluvial materials typically include unconsolidated to poorly-consolidated granular deposits, with variable amounts of silt to cobble size grains. Eolian deposits consist primarily of well-sorted sand, and occur locally as dunes. Native topsoils consist primarily of sandy and loamy-sand deposits, with variable amounts of silty to gravelly soils and subsoils, clays (e.g., in playa deposits), fine- to coarse-grained sands, and rocky soils. Soil depths vary locally, with thicker deposits generally located in alluvial valleys and steeper areas exhibiting shallower soils.

Groundwater

All or part of 38 groundwater basins are mapped within the County, with local basins occurring primarily in valleys and typically associated with unconfined or partially confined alluvial aquifers. These basins vary in size (areal extent) from approximately 312 (Santa Rosa Flat) to 921,000 acres (Death Valley), and comprise an important source of water for local agricultural, domestic, municipal and environmental uses. Additional discussion of local groundwater resources is provided in Section 4.10, Hydrology and Water Quality.

Structure and Seismicity

The City is within the Basin and Range Province as previously described, and encompasses a series of generally parallel, north-south trending normal faults located primarily at the horst/graben boundaries (**Figure 4.7-1**). Like much of California, the City is within a seismically active region, with a number of local faults designated as active or potentially active. Specifically, active faults are defined as those exhibiting historic seismicity or displacement of Holocene-age materials, while potentially active faults have no historic seismicity and displace Pleistocene (between approximately 1.6 million and 11,000 years old) but not Holocene strata. The closest fault to the project area is the Fish Slough fault, located approximately 0.5 miles from the eastern City limit, between the City limit and the Bishop Airport. The maximum movement magnitude of the Fish Slough Fault is 6.6 (LADWP 2013). Trenching in the Bishop area indicates a vertical fault displacement ranging from three to six feet. The fault

displacement in the Fish Slough are more dramatic with a vertical displacement ranging from at least 300 feet of caprock composed of Bishop Tuff, extending some two miles long by one third of a mile wide, to break into three blocks. These blocks are approximately 400 feet in elevation between the upper and lower ends of the blocks. Further slipping and tilting is possible and may occur in the event of a sizeable earthquake (City of Bishop 1993).

Much of Inyo County is within a Seismic Zone 4 designation, which is the highest of four national seismic risk zones and is generally interpreted as an area with a 1 in 10 chance of experiencing a 0.4-Gal[1] peak ground acceleration (ground shaking) level within the next 50 years. Portions of the southeastern County are within a Seismic Zone 3 designation, which exhibits a 1 in 10 chance of experiencing a 0.3- Gal peak ground acceleration level within the next 50 years. Based on these designations and the described locations of active and potentially active faults, peak ground acceleration values of 0.4 Gal or higher (depending on site-specific proximity to faults and earthquake locations) could potentially occur in much of the County.

Soils

Although the City of Bishop is situated on the Owens Valley floor, there are several important land forms which influence the environment. Mountains, composed of igneous rock or metamorphic rock are readily distinguished by their high elevation and steep slopes. Alluvial fans, composed of poorly sorted, unconsolidated material, are located at the outwash of nearly all mountain canyons. Uniform slopes and fan shapes characterize alluvial fans. Composed of pervious material, alluvial fans are thought to be the site of considerable groundwater recharge. The Valley floor is composed of smaller, well sorted material deposited by decreasing stream gradients. Although relatively flat, the City area has a west to east slope with an approximate 1.5 percent gradient. Other landforms of interest found in or adjacent to the City include the volcanic tableland, volcanic cones, or the base of volcanic extrusion, and river terraces adjacent to the Owens River.

Nearly all of the soils of the City of Bishop are alluvial, transported by streams draining from the adjacent mountains. Generally, the soils in the Bishop area fall into two categories; the older more mature soils which often have hard pan conditions and tend to be of limited agricultural value, and the younger soils, characterized by more porous, even textured conditions which are among the most productive found in the Owens Valley. The Johnstonville soil series is typical of the older soils. The more recent alluvium includes the Lahontan, Lynndyl, Cajon, and Bishop series. Soil limitations for agricultural use include alkali, stoniness and high groundwater conditions. Soil limitations for construction purposes are limited to high groundwater conditions in the Dixon Lane/Meadow Farms area (City of Bishop 1993).

Soils in the project area are shown in **Figure 4.7-2**. The majority of the project area consists of Dehy loam (156.75 acres), with the second most prevalent soil type being Lucerne loamy fine sand (38.63 acres) in the northern portion of the project area. Dehy-Dehy calcerous complex (10.91 acres), Xerofluvents (1.51 acres), and Dehy sandy loam (0.12 acres) all making up smaller portions of the project area (NRCS 2021).

[1] Gal is a unit of acceleration due to earth's gravity. It is defined as 1 centimeter per second squared (1 cm/s2).

Paleontological Resources

Paleontological resources (fossils) are the remains and/or traces of prehistoric plant and animal life exclusive of human remains or artifacts. Fossil remains such as bones, teeth, shells, and wood are found in the geologic deposits (rock formations) in which they were originally buried. Paleontological resources represent a limited, non-renewable, sensitive scientific and educational resource. Buried potential paleontological fossils are normally underground, out of sight, and not easy to locate other than by direct observation after erosion or during excavation. The likelihood of encountering subsurface paleontological resources in Inyo County is not well known. The land consists of mostly flat-lying sediments, thus natural erosion cuts through the sediments but does not penetrate deeply except in major stream channels, so the prior existence of subsurface and at-depth fossils is not readily determinable. Paleontology studies have focused on natural erosion in hills and badlands where fossil exposures may be abundant in arroyo cuts and rain-washed hillsides.

The potential for fossil remains at a location can be predicted through previous correlations that have been established between the fossil occurrence and the geologic formations within which they are buried. For this reason, knowledge of the geology of a particular area and the paleontological resource sensitivity of particular rock formations makes it possible to predict where fossils likely will or will not be encountered.

The natural geology of the project site is comprised of Quaternary Deposits (2.5 million years ago to present) of alluvium, lake, playa, and terrace deposits. These deposits primarily consist of non-marine sedimentary rocks but can include marine deposits near the coast (CDC 2015).

4.7.2 Significance Thresholds

In accordance with Appendix G of the CEQA Guidelines, the proposed project would have a significant impact associated with geology, soils, mineral resources or paleontological resources if the project would:

1. Directly or indirectly cause potential 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; (ii) strong seismic ground shaking; (iii) seismic-related ground failure, including liquefaction; or (iv) landslides;
2. Result in substantial soil erosion or the loss of topsoil;
3. 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 the on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse;
4. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property;
5. 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 waste water;
6. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

4.7.3 Impact Analysis

GEO-1 The proposed project may directly or indirectly cause potential substantial adverse effects involving rupture of a known earthquake fault, strong seismic ground shaking, or seismic-related ground failure, including liquefaction or landslides.

While the proposed project is not located directly on an earthquake fault, it is located 0.5 miles west of the Fish Slough fault. Due to the project area's proximity to a known earthquake fault, there is a potential for the project area to be exposed to seismic-related ground shaking. Equipment could be damaged or collapse and injure personnel on-site or damage property in the immediate vicinity. Implementation of Mitigation Measure GEO-1 would reduce this potential to less than significant. The site-specific geotechnical report required in Mitigation Measure GEO-1 would assess the potential for geologically related impacts and make project-specific design recommendations for buildings to withstand probable seismically-induced ground shaking. In addition, construction of projects within the Specific Plan area and Mixed-Use Overlay Zone would adhere to the specifications, procedures, and site conditions contained in the final design plans, which would be fully compliant with the seismic recommendations provided by the California-licensed geotechnical engineer in accordance with CBC requirements. The required measures would encompass site preparation, foundation specifications, and protection measures for buried metal structures. The final structural designs would be subject to approval and follow-up inspection by the City.

Adherence to the requirements of the California and City Building Codes and Mitigation Measure GEO-1 would ensure that effects from strong seismic ground shaking or seismic-related ground failure, including liquefaction or landslides, would be minimized. Development within the Specific Plan area and Mixed-Use Overlay Zone would be constructed in accordance with all applicable codes, which require property line and public roadway setbacks that would protect the general public from any potential hazards associated with the facility that could result from an earthquake. Therefore, personnel present during the construction and operation phases of the proposed project would not be exposed to a substantial increase in seismic ground shaking hazards as a result of project implementation beyond those that generally exist in the entire project region. Implementation of these building code requirements and local agency enforcement would reduce impacts from ground shaking to less-than-significant levels.

Significance without Mitigation: Potentially significant impact.

Mitigation Measure GEO-1: Site-Specific Geotechnical Investigation

Prior to issuance of a grading permit for development within in the project area, a geotechnical firm with local expertise in geotechnical investigation shall prepare a site-specific geotechnical report. The report shall be prepared by a California-licensed geotechnical engineer or engineering geologist and be submitted to the City building department for approval prior to the issuance of a grading permit. This report shall be based on data collected from subsurface exploration, laboratory testing of samples of surface mapping, and address the potential for surface fault rupture, ground shaking, slope failure, expansive soils, and unstable cut or fill slopes and make recommendations based on those findings. The developer shall implement recommendations identified in the site-specific geotechnical report.

Significance with Mitigation: Less than significant impact.

GEO-2 The proposed project would not result in substantial soil erosion or loss of topsoil.

The construction activities that may take place as a result of the proposed Specific Plan and Mixed-Use Overlay Zone could result in some soil disturbance and potential vegetation removal on vacant lots. However, the majority of the parcels in this area are already developed and the soil is therefore already disturbed. Preparation of a site-specific Stormwater Pollution Prevention Plan (SWPPP) and compliance with City stormwater management plan standards would ensure that ground-disturbing activities do not result in significant erosion. Typical erosion-prevention measures such as silt fences, stakes straw bales/wattles, silt/sediment basins and traps, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover would be used to minimize erosion impacts. Implementation of these standard measures and site-specific SWPPP would ensure that the potential impacts of soil erosion would be less than significant, and no mitigation is required.

Significance without Mitigation: Less than significant impact.

GEO-3 The project may 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 the on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

Due to the prevailing gentle topography and lack of steep slopes on the project sites, landslides are unlikely to occur in the project area or in the immediate vicinity. There is some potential for liquefaction to occur on the project sites due to their proximity to a known fault. However, as discussed above in impact GEO-1, implementation of Mitigation Measure GEO-1 would reduce this potential impact to less than significant. The site-specific geotechnical report required in Mitigation Measure GEO-1 would assess the potential for geologically related impacts and make project-specific design recommendations for buildings to withstand probable seismically induced ground shaking and liquefaction as a result of ground shaking. In addition, construction as a result of the proposed project would adhere to the specifications, procedures, and site conditions contained in the final design plans, which would be fully compliant with the seismic recommendations provided by the California-licensed geotechnical engineer in accordance with CBC requirements. The required measures would encompass site preparation, foundation specifications, and protection measures for buried metal structures. The final structural designs would be subject to approval and follow-up inspection by the County.

Adherence to the requirements of the California and City Building Codes and Mitigation Measure GEO-1 would ensure that effects from unstable soil, including liquefaction, landslides, lateral spreading, subsidence, or collapse, would be minimized. All development would be constructed in accordance with all applicable codes. Implementation of these building code requirements and local agency enforcement would reduce impacts from ground shaking to less-than-significant levels.

Significance without Mitigation: Potentially significant impact.

See Mitigation Measure GEO-1 above.

Significance with Mitigation: Less than significant impact.

GEO-4 The proposed project would not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) and would not create substantial direct or indirect risks to life or property.

The proposed project consists of the establishment of a Specific Plan and Mixed-Use Overlay zone in downtown Bishop, an area which is already developed. The NRCS has mapped five soil units within the footprint of the proposed project: Dehy loam, Dehy sandy loam, Dehy-Dehy calcareous complex, Lucerne loamy fine sand, and Xerofluvents (NRCS 2021). All of the soil types present within the project footprint except one have a low shrink-swell potential, which means that they are not located on soils classified as expansive by Table 18-1-B of the Uniform Building Code. Xerofluvents is classified as having a high shrink-well potential. However, this soil type makes up only 1.5 acres along the edge of the project area. Because these soil types are not classified as expansive in the majority of the project area that would experience development as the result of the proposed project, construction in the project area as a result of the proposed project would not create substantial direct or indirect risks to life or property from damage due to expansive soils. Therefore, the impact would be less than significant.

Significance without Mitigation: Less than significant.

GEO-5 The proposed project would not require the use of septic tanks or an alternative waste water disposal system.

The proposed project would implement a Specific Plan and Mixed-Use Overlay Zone that would allow for increased density in downtown Bishop. As discussed in Section 4.15, Public Services, this area is already served by existing wastewater infrastructure with adequate capacity to serve additional development. Therefore, development resulting from the proposed project would not use a septic or alternative water disposal system and would have no impact.

Significance without Mitigation: No impact.

GEO-6 The proposed project may directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

No previous surveys conducted in the project area have identified the project site as sensitive for paleontological resources or other geologically sensitive resources, nor have testing or ground disturbing activities performed to date uncovered any paleontological resources or geologically sensitive resources. Construction could potentially directly or indirectly destroy paleontological resources or unique geologic features primarily during excavation and earth-moving phases of construction. While the likelihood of encountering paleontological resources and other geologically sensitive resources is considered low, especially since the area affected by the proposed project is already developed, project-related ground disturbing activities could affect the integrity of a previously unknown paleontological or other geologically sensitive resource, resulting in a substantial change in the significance of the resource. Therefore, the proposed project could result in potentially significant impacts to paleontological resources. Implementation of Mitigation Measure GEO-2 would reduce potentially significant impacts to a level of less than significant.

Significance without Mitigation: Potentially significant impact.

Mitigation Measure GEO-2: Avoid and Minimize Impacts to Paleontological Resources

In the event a paleontological or other geologically sensitive resource (such as fossils or fossil formations) are identified during construction, all excavations within 100 feet of the find shall be temporarily halted until the find is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The paleontologist shall notify the appropriate representative at the City of Bishop who shall coordinate with the paleontologist as to any necessary investigation of the find. If the find is determined to be significant under CEQA, the City shall implement those measures which may include avoidance, preservation in place, or other appropriate measures, as outlined in Public Resources Code Section 21083.2.

Significance with Mitigation: Less than significant impact.

4.7.4 Cumulative Impacts

GEO-7 The proposed project would not result in a significant cumulative impact with respect to geology and soils.

Cumulative impacts would occur when the proposed project, in combination with other projects in the City of Bishop, would directly or indirectly cause adverse effects involving fault rupture, strong seismic ground shaking, seismic-related ground failure, or landslides; result in soil erosion or the loss of topsoil; be located on unstable soil that could result in landslide, lateral spreading, subsidence, liquefaction, or collapse; be located on expansive soil; have soils incapable of adequately supporting septic tanks; or directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. The context for analyzing cumulative impacts to geological and soils resources is limited to the immediate area of geologic constraint, with the exception of some geologic impacts that are regional such as earthquake risk. As discussed above, implementation of the proposed project would result in less than significant impacts with mitigation incorporated to geological, soils, and paleontological resources. The measures reducing the impacts to less than significant are related to existing regulatory framework controlling the design and construction of structures in California, and actions required to obtain a grading and/or development permits at the local level are sufficient to avoid or substantially reduce the potential impacts.

Potential development under the proposed project could result in development projects being constructed concurrently with, and in proximity to, other land use and development projects in the City of Bishop as shown in Table 4-1, City of Bishop Cumulative Projects List. While there may be geotechnical impacts associated with other developments in proximity to the proposed project, several potential impacts (e.g., unstable soils, expansive soils, liquefaction, soil erosion, and paleontological resources) are site specific, and would be addressed on a project-specific basis. Seismically induced geologic hazards and unstable soil hazards are site-specific and depend on local conditions as well as the characteristics of the overlying improvements. Development projects occurring as a result of the Downtown Bishop Specific Plan and Mixed-Use Overlay and other cumulative projects would be required to comply with the applicable state and local requirements including, but not limited to, the CBC and local building codes. Therefore, implementation of the proposed project would not contribute to a cumulatively considerable impact on geotechnical issues.

Seismic impacts are a regional issue and are addressed through compliance with applicable codes and design standards. Thus, individual projects (of the type included on the cumulative project list) do not

increase the potential for a seismic event, as the effects would be based on site-specific underlying conditions and proximity to the source of the seismic event. Therefore, implementation of the proposed project would not contribute to a greater cumulative impact to seismic ground shaking or fault rupture.

Implementation of site-specific SWPPPs would reduce the potential for erosion hazards for downtown development constructed as a result of the proposed project. Impacts form erosion or loss of topsoil for other cumulative projects may require site-specific analysis to determine the soils' permeability, slope, angle and length, extent of groundcover, and human influence on the sites, however all projects listed in Table 4-1 would be required to adhere to similar erosion control requirements. All construction phases of the project, and other cumulative projects in the area, would be required to adhere to all federal, state, and local programs, requirements, and policies pertaining to building safety and construction permitting. Accordingly, no significant cumulative impact would result from the project in conjunction with the development of other cumulative projects.

Significance without Mitigation: Less than significant impact.

4.7.5 References

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4.8 Greenhouse Gas Emissions

This section describes the regulatory framework and existing conditions related to greenhouse gas (GHG), evaluates the potential GHG emissions impacts that could occur as a result of implementation of the proposed project, and details mitigation measures needed to reduce significant impacts, as necessary.

4.8.1 Environmental Setting

4.8.1.1 Climate Change Overview

Global climate change refers to changes in average climatic conditions on Earth including temperature, wind patterns, precipitation, and storms. Global temperatures are moderated by atmospheric gases. These gases are commonly referred to as GHGs because they function like a greenhouse by letting sunlight in but preventing heat from escaping, thus warming the Earth's atmosphere.

GHGs are emitted by natural processes and human (anthropogenic) activities. Anthropogenic GHG emissions are primarily associated with: (1) the burning of fossil fuels during motorized transport, electricity generation, natural gas consumption, industrial activity, manufacturing, and other activities; (2) deforestation; (3) agricultural activity; and, (4) solid waste decomposition.

The temperature record shows a decades-long trend of warming, with 2016 ranked as the warmest year on record since 1880. The newest release in long-term warming trends announced 2020 ranked as tied with 2016 for the warmest year on record with an increase of 1.84 degrees Fahrenheit compared to the 1951-1980 average (National Aeronautics and Space Administration [NASA] 2021). GHG emissions from human activities are the most significant driver of observed climate change since the mid-20th century (United Nations Intergovernmental Panel on Climate Change [IPCC] 2013). The IPCC constructed several emission trajectories of GHGs needed to stabilize global temperatures and climate change impacts. The statistical models show a "high confidence" that temperature increase caused by anthropogenic GHG emissions could be kept to less than two degrees Celsius relative to pre-industrial levels if atmospheric concentrations are stabilized at about 450 parts per million (ppm) carbon dioxide equivalent (CO_2e) by the year 2100 (IPCC 2014).

4.8.1.2 Greenhouse Gases

The GHGs defined under California's Assembly Bill (AB) 32 include carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFC), perfluorocarbons (PFC), and sulfur hexafluoride (SF_6).

Carbon Dioxide. CO_2 is the most important and common anthropogenic GHG. CO_2 is an odorless, colorless GHG. Natural sources include the decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungi; evaporation from oceans; and volcanic outgassing. Anthropogenic sources of CO_2 include burning fuels, such as coal, oil, natural gas, and wood. Data from ice cores indicate that CO_2 concentrations remained steady prior to the current period for approximately 10,000 years. The atmospheric CO_2 concentration in 2010 was 390 ppm, 39 percent above the concentration at the start of the Industrial Revolution (about 280 ppm in 1750). As of September 2021, the CO_2 concentration exceeded 415 ppm (National Oceanic and Atmospheric Administration [NOAA] 2021).

Methane. CH_4 is the main component of natural gas used in homes. A natural source of methane is from the decay of organic matter. Geological deposits known as natural gas fields contain methane, which is extracted for fuel. Other sources are from decay of organic material in landfills, fermentation of manure, and cattle digestion.

Nitrous Oxide. N_2O is produced by both natural and human-related sources. N_2O is emitted during agricultural and industrial activities, as well as during the combustion of fossil fuels and solid waste. Primary human-related sources of N_2O are agricultural soil management, animal manure management, sewage treatment, mobile and stationary combustion of fossil fuel, adipic (fatty) acid production, and nitric acid production.

Hydrofluorocarbons. Fluorocarbons are gases formed synthetically by replacing all hydrogen atoms in methane or ethane with chlorine and/or fluorine atoms. Chlorofluorocarbons are nontoxic, nonflammable, insoluble, and chemically nonreactive in the troposphere (the level of air at Earth's surface). Chlorofluorocarbons were first synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. They destroy stratospheric ozone; therefore, their production was stopped as required by the 1989 Montreal Protocol.

Sulfur Hexafluoride. SF_6 is an inorganic, odorless, colorless, nontoxic, nonflammable gas. SF_6 is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semi-conductor manufacturing, and as a tracer gas for leak detection.

GHGs have long atmospheric lifetimes that range from one year to several thousand years. Long atmospheric lifetimes allow for GHG emissions to disperse around the globe. Because GHG emissions vary widely in the power of their climatic effects, climate scientists have established a unit called global warming potential (GWP). The GWP of a gas is a measure of both potency and lifespan in the atmosphere as compared to CO_2. For example, because methane and N_2O are approximately 25 and 298 times more powerful than CO_2, respectively, in their ability to trap heat in the atmosphere, they have GWPs of 25 and 298, respectively (CO_2 has a GWP of 1). CO_2e is a quantity that enables all GHG emissions to be considered as a group despite their varying GWP. The GWP of each GHG is multiplied by the prevalence of that gas to produce CO_2e.

Historically, GHG emission inventories have been calculated using the GWPs from the IPCC's Second Assessment Report (SAR). In 2007, IPCC updated the GWP values based on the latest science at the time in its Fourth Assessment Report (AR4). The updated GWPs in the IPCC AR4 have begun to be used in recent GHG emissions inventories. In 2013, IPCC again updated the GWP values based on the latest science in its Fifth Assessment Report (AR5) (IPCC 2013). However, United Nations Framework Convention on Climate Change (UNFCCC) reporting guidelines for national inventories require the use of GWP values from the AR4. To comply with international reporting standards under the UNFCCC, official emission estimates for California and the US are reported using AR4 GWP values. Therefore, statewide and national GHG inventories have not yet updated their GWP values to the AR5 values. By applying the GWP ratios, project related CO_2e emissions can be tabulated in metric tons per year. Typically, the GWP ratio corresponding to the warming potential of CO_2 over a 100-year period is used as a baseline. The atmospheric lifetime and GWP of selected GHGs are summarized in **Table 4.8-1**.

Table 4.8-1
GLOBAL WARMING POTENTIALS AND ATMOSPHERIC LIFETIMES

Greenhouse Gas	Atmospheric Lifetime (years)	Global Warming Potential (100-year time horizon)
Carbon Dioxide (CO_2)	50-200	1
Methane (CH_4)	12	25
Nitrous Oxide (N_2O)	114	298
HFC-324a	14	1,430
PFC: Tetrafluoromethane (CF_4)	50,000	7,390
PFC: Hexafluoroethane (C_2F_6)	10,000	12,200
Sulfur Hexafluoride (SF_6)	3,200	22,800

Source: IPCC 2007.
HFC: hydrofluorocarbon; PFC: perfluorocarbon.

4.8.1.3 Regulatory Framework

Federal Regulations

Federal Clean Air Act

The U.S. Supreme Court ruled on April 2, 2007, in Massachusetts v. US Environmental Protection Agency (USEPA) that CO_2 is an air pollutant, as defined under the Clean Air Act (CAA), and that the USEPA has the authority to regulate emissions of GHGs. The USEPA announced that GHGs (including CO_2, CH_4, N_2O, HFC, PFC, and SF_6) threaten the public health and welfare of the American people. This action was a prerequisite to finalizing the USEPA's GHG emissions standards for light-duty vehicles, which were jointly proposed by the USEPA and the United States Department of Transportation's National Highway Traffic Safety Administration (NHTSA). The standards were established on April 1, 2010 for 2012 through 2016 model year vehicles and on October 15, 2012 for 2017 through 2025 model year vehicles (USEPA 2017; USEPA and NHTSA 2012).

Light-Duty Vehicle Greenhouse Gas Emissions Standards and Corporate Average Fuel Economy Standards

The USEPA and the NHTSA have been working together on developing a national program of regulations to reduce GHG emissions and to improve fuel economy of light-duty vehicles. The USEPA established the first-ever national GHG emissions standards under the CAA, and the NHTSA established Corporate Average Fuel Economy (CAFE) standards under the Energy Policy and Conservation Act. On April 1, 2010, the USEPA and NHTSA announced a joint Final Rulemaking that established standards for 2012 through 2016 model year vehicles. This was followed up on October 15, 2012, when the agencies issued a Final Rulemaking with standards for model years 2017 through 2025. On August 2, 2018, the agencies released a notice of proposed rulemaking—the Safer Affordable Fuel-Efficient Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks (SAFE Vehicles Rule). The purpose of the SAFE Vehicles Rule is "to correct the national automobile fuel economy and greenhouse gas emissions standards to give the American people greater access to safer, more affordable vehicles that are cleaner for the environment." The direct effect of the rule is to eliminate the standards that were put in place to gradually raise average fuel economy for passenger cars and light trucks under test conditions from 37 miles per gallon (mpg) in 2020 to 50 mpg in 2025. By contrast, the new SAFE Vehicles Rule freezes the average fuel economy level standards indefinitely at the 2020 levels. The new SAFE Vehicles Rule also results in the withdrawal of the waiver previously provided to California for that State's GHG and zero

emissions vehicle (ZEV) programs under section 209 of the CAA. The combined USEPA GHG standards and NHTSA CAFE standards resolve previously conflicting requirements under both federal programs and the standards of the State of California and other states that have adopted the California standards.

State Regulations and Plans

There are numerous State plans, policies, regulations, and laws related to GHG emissions and global climate change. Following is a discussion of some of these plans, policies, and regulations that (1) establish overall State policies and GHG emission reduction targets; (2) require State or local actions that result in direct or indirect GHG emission reductions for the proposed project; and (3) require CEQA analysis of GHG emissions.

California Energy Code

California Code of Regulations Title 24 Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings was first established in 1978 in response to a legislative mandate to reduce California's energy consumption. Energy-efficient buildings require less electricity, natural gas, and other fuels. Electricity production from fossil fuels and on-site fuel combustion (typically for water heating) results in GHG emissions.

The Title 24 standards are updated approximately every three years to allow consideration and possible incorporation of new energy efficiency technologies and methods. The 2019 Title 24 standards went into effect on January 1, 2020. The 2019 standards improve upon the 2016 standards for new construction of, and additions and alterations to, residential and nonresidential buildings. The 2019 update to the Building Energy Efficiency Standards focuses on several key areas to improve the energy efficiency of newly constructed buildings and additions and alterations to existing buildings. The most significant improvements to the residential standards include the requirement for onsite photovoltaic electricity (e.g., solar panels) generally for most new residential single-family buildings and multi-family buildings up to three stories high (California Energy Commission [CEC] 2018).

The standards are divided into three basic sets. First, there is a basic set of mandatory requirements that apply to all buildings. Second, there is a set of performance standards – the energy budgets – that vary by climate zone (of which there are 16 in California) and building type; thus, the standards are tailored to local conditions. Finally, the third set constitutes an alternative to the performance standards, which is a set of prescriptive packages that provide a recipe or a checklist compliance approach.

California Green Building Standards Code

The California Green Building Standards Code (CALGreen; California Code of Regulations Title 24, Part 11) is a code with mandatory requirements for new residential and nonresidential buildings (including industrial buildings) throughout California. The code is Part 11 of the California Building Standards Code in Title 24 of the California Code of Regulations. The current 2019 Standards for new construction of, and additions and alterations to, residential and nonresidential buildings went into effect on January 1, 2020.

The development of CALGreen is intended to (1) cause a reduction in GHG emissions from buildings; (2) promote environmentally responsible, cost-effective, healthier places to live and work; (3) reduce energy and water consumption; and (4) respond to the directives by the Governor. In short, the code is

established to reduce construction waste; make buildings more efficient in the use of materials and energy; and reduce environmental impact during and after construction.

CALGreen contains requirements for storm water control during construction; construction waste reduction; indoor water use reduction; material selection; natural resource conservation; site irrigation conservation; and more. The code provides for design options allowing the designer to determine how best to achieve compliance for a given site or building condition. The code also requires building commissioning, which is a process for the verification that all building systems, like heating and cooling equipment and lighting systems, are functioning at their maximum efficiency (California Building Standards Commission 2019).

Executive Order S-3-05

On June 1, 2005, Executive Order (EO) S-3-05 proclaimed that California is vulnerable to climate change impacts. It declared that increased temperatures could reduce snowpack in the Sierra Nevada, further exacerbate California's air quality problems, and potentially cause a rise in sea levels. To avoid or reduce climate change impacts, EO S-3-05 calls for a reduction in GHG emissions to the year 2000 level by 2010, to year 1990 levels by 2020, and to 80 percent below 1990 levels by 2050.

Assembly Bill 32 – Global Warming Solution Act of 2006

The California Global Warming Solutions Act of 2006, widely known as AB 32, requires that the California Air Resources Board (CARB) develop and enforce regulations for the reporting and verification of statewide GHG emissions. CARB is directed to set a GHG emission limit, based on 1990 levels, to be achieved by 2020. The bill requires CARB to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective GHG emission reductions.

Senate Bill 375

SB 375, the Sustainable Communities and Climate Protection Act of 2008, supports the State's climate action goals to reduce GHG emissions through coordinated transportation and land use planning with the goal of more sustainable communities.

Under the Sustainable Communities Act, CARB sets regional targets for GHG emissions reductions from passenger vehicle use. In 2010, CARB established these targets for 2020 and 2035 for each region covered by one of the State's metropolitan planning organizations (MPO). CARB periodically reviews and updates the targets, as needed.

Each of California's MPOs must prepare a Sustainable Communities Strategy (SCS) as an integral part of its regional transportation plan (RTP). The SCS contains land use, housing, and transportation strategies that, if implemented, would allow the region to meet its GHG emission reduction targets. Once adopted by the MPO, the RTP/SCS guides the transportation policies and investments for the region. CARB must review the adopted SCS to confirm and accept the MPO's determination that the SCS, if implemented, would meet the regional GHG targets. If the combination of measures in the SCS would not meet the regional targets, the MPO must prepare a separate alternative planning strategy (APS) to meet the targets. The APS is not a part of the RTP. Qualified projects consistent with an approved SCS or Alternative Planning Strategy categorized as "transit priority projects" would receive incentives to streamline CEQA processing. The Association of Bay Area Governments (ABAG) is the San Francisco Bay Area's local MPO and, in coordination with the Metropolitan Transportation Commission (MTC), has

responded to the requirements of SB 375 with the preparation of the Plan Bay Area 2040 discussed in greater detail in below.

Senate Bill 743

On September 27, 2013, California Governor Jerry Brown signed SB 743 into law and started a process that changes transportation impact analysis as part of CEQA compliance. These changes include the elimination of auto delay, level of service (LOS), and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant impacts for land use projects and plans in California. Further, parking impacts will not be considered significant impacts on the environment for select development projects within infill areas with nearby frequent transit service. According to the legislative intent contained in SB 743, these changes to current practice were necessary to more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of GHG emissions.

Senate Bill 97

SB 97 required the Governor's Office of Planning and Research to develop recommended amendments to the CEQA Guidelines for addressing GHG emissions, including the effects associated with transportation and energy consumption. The amendments became effective on March 18, 2010.

Executive Order B-30-15

On April 29, 2015, EO B-30-15 established a California GHG emission reduction target of 40 percent below 1990 levels by 2030. The EO aligns California's GHG emission reduction targets with those of leading international governments, including the 28 nation European Union. California is on track to meet or exceed the target of reducing GHG emissions to 1990 levels by 2020, as established in AB 32. California's new emission reduction target of 40 percent below 1990 levels by 2030 will make it possible to reach the goal established by EO S-3-05 of reducing emissions 80 percent under 1990 levels by 2050.

Senate Bill 32 and Assembly Bill 197

As a follow-up to AB 32 and in response to EO-B-30-15, SB 32 was passed by the California legislature in August 2016 to codify the EO's California GHG emission reduction target of 40 percent below 1990 levels by 2030 and requires the State to invest in the communities most affected by climate change. AB 197 establishes a legislative committee on climate change policies to help continue the State's activities to reduce GHG emissions.

Assembly Bill 1493 – Vehicular Emissions of Greenhouse Gases

AB 1493 (Pavley) requires that CARB develop and adopt regulations that achieve "the maximum feasible reduction of GHGs emitted by passenger vehicles and light-duty truck and other vehicles determined by CARB to be vehicles whose primary use is noncommercial personal transportation in the State." On September 24, 2009, CARB adopted amendments to the Pavley regulations that intend to reduce GHG emissions in new passenger vehicles from 2009 through 2016. The amendments bind California's enforcement of AB 1493 (starting in 2009), while providing vehicle manufacturers with new compliance flexibility. The amendments also prepare California to merge its rules with the federal CAFE rules for passenger vehicles (CARB 2021a). In January 2012, CARB approved a new emissions-control program for

model years 2017 through 2025. The program combines the control of smog, soot, and global warming gases and requirements for greater numbers of zero-emission vehicles into a single packet of standards called Advanced Clean Cars (CARB 2021a).

Assembly Bill 341

The State legislature enacted AB 341 (California Public Resource Code Section 42649.2), increasing the diversion target to 75 percent statewide. AB 341 requires all businesses and public entities that generate 4 cubic yards or more of waste per week to have a recycling program in place. The final regulation was approved by the Office of Administrative Law on May 7, 2012 and went into effect on July 1, 2012.

Executive Order S-01-07 – Low Carbon Fuel Standard

This EO, signed by Governor Schwarzenegger on January 18, 2007, directs that a statewide goal be established to reduce the carbon intensity of California's transportation fuels by at least 10 percent by the year 2020. It orders that a Low Carbon Fuel Standard (LCFS) for transportation fuels be established for California and directs CARB to determine whether a LCFS can be adopted as a discrete early action measure pursuant to AB 32. CARB approved the LCFS as a discrete early action item with a regulation adopted and implemented in April 2010. Although challenged in 2011, the Ninth Circuit reversed the District Court's opinion and rejected arguments that implementing LCFS violates the interstate commerce clause in September 2013. CARB is therefore continuing to implement the LCFS statewide.

Senate Bill 350

Approved by Governor Brown on October 7, 2015, SB 350 increases California's renewable electricity procurement goal from 33 percent by 2020 to 50 percent by 2030. This will increase the use of Renewables Portfolio Standard eligible resources, including solar, wind, biomass, and geothermal. In addition, large utilities are required to develop and submit Integrated Resource Plans to detail how each entity will meet their customers' resource needs, reduce GHG emissions, and increase the use of clean energy.

Senate Bill 100

Approved by Governor Brown on September 10, 2018, SB 100 extends the renewable electricity procurement goals and requirements of SB 350. SB 100 requires that all retail sale of electricity to California end-use customers be procured from 100 percent eligible renewable energy resources and zero-carbon resources by the end of 2045.

California Air Resources Board: Climate Change Scoping Plan

On December 11, 2008, CARB adopted the Scoping Plan as directed by AB 32 (CARB 2008). The Scoping Plan proposes a set of actions designed to reduce overall GHG emissions in California to the levels required by AB 32. Measures applicable to development projects include those related to energy-efficiency building and appliance standards, the use of renewable sources for electricity generation, regional transportation targets, and green building strategy. Relative to transportation, the Scoping Plan includes nine measures or recommended actions related to reducing vehicle miles traveled (VMT) and vehicle GHG emissions through fuel and efficiency measures. These measures would be implemented statewide rather than on a project-by-project basis.

In response to EO B-30-15 and SB 32, all state agencies with jurisdiction over sources of GHG emissions were directed to implement measures to achieve reductions of GHG emissions to meet the 2030 and 2050 targets. CARB was directed to update the Scoping Plan to reflect the 2030 target (CARB 2014). The mid-term target is critical to help frame the suite of policy measures, regulations, planning efforts, and investments in clean technologies and infrastructure needed to continue driving down emissions. In December 2017, CARB adopted the 2017 Climate Change Scoping Plan Update, the Strategy for Achieving California's 2030 Greenhouse Gas Target, to reflect the 2030 target set by EO B-30-15 and codified by SB 32 (CARB 2017).

Local Regulations and Plans

Great Basin Unified Air Pollution Control District

The Great Basin Unified Air Pollution Control District (GBUAPCD) regulates air quality in the County according to the standards established in the CAA and amendments to those acts. The GBUAPCD regulates air quality through its permitting authority and through air quality-related planning and review activities over most types of stationary emission sources.

City of Bishop General Plan

The City of Bishop's General Plan does not contain any goals or policies related to GHG emissions (City of Bishop 1993). However, the Conservation and Open Space Element of the General Plan contains a goal to preserve the existing air quality of the Bishop area.

4.8.1.4 Existing Conditions

State GHG Inventories

CARB performs statewide GHG inventories. The inventory is divided into six broad sectors: agriculture and forestry, commercial, electricity generation, industrial, residential, and transportation. Emissions are quantified in MMT CO_2e. **Table 4.8-2** shows the estimated statewide GHG emissions for the years 1990, 2000, 2010, and 2019.

Table 4.8-2
CALIFORNIA GHG EMISSIONS BY SECTOR

Sector	Emissions (MMT CO2e)			
	1990	2000	2010	2019
Agriculture and Forestry	18.9 (4%)	31.0 (7%)	33.7 (8%)	31.8 (8%)
Commercial	14.4 (3%)	14.1 (3%)	20.1 (4%)	24.2 (6%)
Electricity Generation	110.5 (26%)	105.3 (22%)	90.5 (20%)	59.0 (14%)
Industrial	105.3 (24%)	104.6 (22%)	101.3 (23%)	99.9 (24%)
Residential	29.7 (7%)	31.7 (7%)	32.1 (7%)	33.0 (8%)
Transportation	150.6 (35%)	181.3 (39%)	170.2 (38%)	170.3 (41%)
Unspecified Remaining	1.3 (<1%)	-	-	-
TOTAL	**430.7**	**468.0**	**447.9**	**418.1**

Source: CARB 2007 and CARB 2021b.
MMT = million metric tons; CO_2e = carbon dioxide equivalent; - = not reported.

Statewide GHG emissions totaled approximately 431 MMT CO_2e in 1990, 468 MMT CO_2e in 2000, 448 MMT CO_2e in 2010, and 418 MMT CO_2e in 2019. Transportation-related emissions consistently contribute the most GHG emissions, followed by electricity generation and industrial emissions.

4.8.1.5 Methodology

GHG emissions that would result from implementation of the project and from the existing use of the project site were calculated using the California Emissions Estimator Model (CalEEMod), Version 2020.4.0, as described in Section 4.3, Air Quality. CalEEMod output files for the project are included in Appendix D to this EIR.

4.8.1.6 Construction Emissions

The CalEEMod input and assumptions for modeling construction emissions are described in the Section 4.3, Air Quality.

4.8.1.7 Operation Emissions

The project's land uses were modeled as: 373 low-rise apartments with a default floor space of 1,000 square feet per dwelling unit. To be conservative in accounting for the maximum potential operational emissions, all residential units were modeled as operational in the first year of project operations (2024). Subsequent years of operation would have emissions lower than modeled due to implementation of progressively more stringent vehicle emissions and building energy regulations. Operational sources of GHG emissions in CalEEMod include area, energy, mobile, water use, and solid waste. Operational project input and design features incorporated into CalEEMod for the project and existing use include:

- **Area –** area sources include GHG emissions from landscaping equipment, the use of consumer products, and gas fireplaces. Emissions associated with area sources were estimated using the CalEEMod default values for the project. Area sources in CalEEMod also include emissions from wood burning stoves and fireplaces. However, in accordance with the GBUAPCD Rule 431, *Particulate Emissions*, the project would only include USEPA Phase II compliant wood-burning stoves or wood-burning fireplaces (e.g., fireplace inserts; GBUAPCD 2014). The CalEEMod default number of hearths for apartments in Inyo County were used: 55 percent gas fireplaces; 10 percent no hearth; and 35 percent wood fireplace or wood stove. The wood burning hearths were assumed to be comprised of 50 percent meeting USEPA Phase II catalytic emissions standards and 50 percent meeting UPEPA Phase II non-catalytic emissions standards.

- **Energy –** The project would use electricity and natural gas for lighting, heating, and cooling. Some electricity generation entails the combustion of fossil fuels, including natural gas and coal, which results in GHG emissions at the power plant locations. Power plant GHG emissions may occur outside of the region or State. Electricity within the City is provided by two service providers: LAWDP and Southern California Edison (SoCal Edison). Natural gas within the County is primarily provided by two service providers: Southern California Gas Company (SoCal Gas) and AmeriGas. Energy source emissions for the project were estimated assuming CalEEMod defaults for energy consumption based on the land use type. To be conservative in estimating the highest potential GHG emissions, the electricity service provider with the highest CalEEMod default GHG intensity rates, LAWDP, was selected in the model. The modeling assumes energy source emissions were estimated assuming implementation of energy-reducing project design

features to comply with the 2019 Title 24 standards which include a requirement for new residential buildings with three or fewer residential floors to have on-site generation of electricity through photovoltaic (solar) panels. Based on the 1,000 SF default average area of the project apartments, the project's residential buildings (373 dwelling units) total approximately 373,000 SF of conditioned space and would require solar panels producing a minimum of 431 kilowatts (kW).[1] The annual electricity generated by a rooftop mounted solar power system varies by the climate, amount of sunlight available per day, the pitch and orientation of the roof, and the efficiency of the electrical transmission. Assuming a capacity factor (CF) of 20 percent, which accounts for climate, daylight hours, roof pitch and orientation, and transmission loss, the power produced by the project's solar panels would be approximately 755,340 kilowatt-hours (kWhr) per year.[2]

- **Mobile –** Operational GHG emissions from mobile sources are associated with project-related vehicle trip generation and trip length. Based on the trip generation rate from the model defaults, each of the project's dwelling units would generate 7.32 average daily trips on weekdays ([ADT] 2,730 total ADT), 8.14 average daily trips on Saturdays (3,036 total ADT), and 6.28 average daily trips on Sundays (2,342 total ADT). The CalEEMod default trip distances and purposes were in the existing use modeling. Based on these model defaults, the project would result in an annual VMT of approximately 7.8 million miles.

  The project model default car and light truck vehicle emissions factors were adjusted by selecting the USEPA Final SAFE Rule correction option in CalEEMod.

- **Solid Waste –** Solid waste generated by the project would also contribute to GHG emissions. Treatment and disposal of solid waste produces emissions of methane. Modeling was conducted using CalEEMod default solid waste generation rates and GHG factors for Inyo County. For project modeling, a 25 percent reduction applied to account for residential AB 341 and local waste diversion mandates not accounted for in the model defaults.

- **Water Sources –** Water-related GHG emissions are from the energy used and process emissions for the conveyance and treatment of water. The CEC's 2006 Refining Estimates of Water-Related Energy Use in California defines average energy values for water use. These values are used in CalEEMod to establish default water related emission factors. Modeling was conducted using these defaults. For the project modeling, a 20 percent reduction in potable water use and wastewater generation was applied in accordance with 2019 CALGreen standards, not accounted for in the model defaults.

4.8.2 Significance Thresholds

According to Appendix G of the CEQA Guidelines, the following criteria may be considered in establishing the significance of GHG emissions:

[1] Per the 2019 Title 24 residential building energy efficiency requirements, the minimum solar electrical generation required is calculated by kW = (CFA x A)/1000 + (DU * B), where CFA is the conditioned floor area, A is 0.59 (climate zone 16 adjustment factor), DU is the total number of dwelling units, and B is 1.22 (climate zone 16 dwelling unit factor).

[2] Solar kWhr per year can be calculated by: kWhr/year = Power Output (kW) x 24 hours/day x 365 days/year x CF, where CF is a capacity factor which accounts for climate, daylight hours, roof pitch and orientation, and transmission loss. For typical California residential systems, the CF can range between 17% and 22.5%. A CF of 20% was used in the project calculations.

1. Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; and

2. Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHGs.

As discussed in Section 15064.4 of the CEQA Guidelines, the determination of the significance of GHG emissions calls for a careful judgment by the Lead Agency, consistent with the provisions in Section 15064. Section 15064.4 further provides that a lead agency should make a good faith effort, based to the extent possible on scientific and factual data, to describe, calculate, or estimate the amount of GHG emissions resulting from a project. Neither the GBUAPCD nor the City has yet established specific quantitative significance thresholds for GHG emissions evaluated under CEQA.

In the absence of adopted local or statewide thresholds, the general methodology in this EIR follows the interim guidance provided by the Mojave Desert Air Quality Management District (MDAQMD). The MDAQMD's CEQA Guidelines establish an annual GHG threshold of 100,000 per year (MDAQMD 2016). The MDAQMD's threshold was developed to meet the mandate of AB 32 for emissions reduced to 1990 levels by 2020. Because the project implementation period would be post 2020, this analysis uses an adjusted threshold of 60,000 MT CO_2e per year, reflecting the SB 32 madidate of 40 percent reductions below 1990 levels by 2030.

4.8.3 Impact Analysis

GHG-1 Implementation of the project would not generate GHG emissions that may have a significant impact on the environment.

A project-specific analysis of the project's GHG emissions was completed using CalEEMod Version 2020.4.3, as described in the methodology description, above.

Construction (Short-Term) Emissions

The project's estimated total and amortized short-term construction GHG emissions are shown in **Table 4.8-3**. The project's construction GHG emissions were amortized over the 30 year estimated life span of the buildings and included in the project's operational GHG emissions inventory, below.

Table 4.8-3
CONSTRUCTION GHG EMISSIONS

Year	Emissions (MT CO_2e)
2023	231.4
20-YearTotal[1]	**4,627.0**
Amortized Construction Emissions (30 years)	*154.2*

Source: CalEEMod (output data is provided in Appendix D).

[1] Total construction emissions are estimated by multiplying the 2023 modeled emissions by the 20-year plan implementation period.

Operation (Long-Term) Emissions

The project's estimated long-term operational GHG emissions for the earliest anticipated first full year of operations, 2024, are compared to the MDAQMD thresholds in **Table 4.8-4**.

Table 4.8-4
OPERATIONAL GHG EMISSIONS

Source	Annual Emissions (MT CO_2e)
Area	460.5
Energy	554.1
Mobile	2,782.9
Waste	64.7
Water	149.0
Operational Subtotal[1]	4,011.4
Amortized Construction Emissions (30 years)	154.2
Total Project Emissions	4,165.6
Adjusted 2030 MDAQMD *Threshold (TPY CO_2e)*	*60,000*
Exceed Threshold?	***No***

Source: CalEEMod (output data is provided in Appendix D).
[1] Totals may not sum due to rounding.

The project's long-term emissions of 4,166 MT CO_2e per year would not exceed the adjusted 2030 MDAQMD threshold. Therefore, the implementation of the project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, and the impact would be less than cumulatively considerable.

Significance without Mitigation: Less than significant impact.

GHG-2 Implementation of the project would not conflict with or obstruct implementation of applicable GHG reduction plans, policies, or regulations.

There are numerous State plans, policies, and regulations adopted for the purpose of reducing GHG emissions. The principal overall State plan and policy is AB 32, the California Global Warming Solutions Act of 2006. The quantitative goal of AB 32 is to reduce GHG emissions to 1990 levels by 2020. SB 32 would require further reductions of 40 percent below 1990 levels by 2030. Because the project's operational period would be post-2020, the project aims to reach the quantitative goals set by SB 32. Statewide plans and regulations such as GHG emissions standards for vehicles (AB 1493), the LCFS, and regulations requiring an increasing fraction of electricity to be generated from renewable sources are being implemented at the statewide level; as such, compliance at the project level is not addressed. As discussed in Impact GHG-1, the project would not exceed the MDAQMD's project level thresholds developed to meet the reduction mandates of AB 32 or the adjusted 2030 threshold meeting the reduction mandates of SB 32 in 2030. Therefore, the project would be consistent with the CARB Climate Change Scoping Plan developed to implement the mandates of AB 32 and SB 32.

The City does not currently have a climate action plan or other GHG reduction plan, nor are there any goals or policies in the City's General Plan related to GHG emissions or reductions. the Inyo County

General Plan Conservation and Open Space Element was updated in 2014 with an Energy Efficiency chapter that contains several policies which indirectly address global climate change through promoting energy efficiency throughout the County (Inyo County 2014). The project would be required to comply with the 2019 or later Title 24 building energy requirements which include the requirement for on-site solar electricity generation. The project would not conflict with or obstruct implementation of the County's energy efficiency goals.

Therefore, the project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases, and impacts would be less than cumulatively considerable.

Significance without Mitigation: Less than significant impact.

4.8.4 Cumulative Impact

GHG-3 The proposed project would not contribute to a significant cumulative impact to regional and State GHG emissions.

As noted above, climate change impacts are cumulative. Given the relatively small levels of emissions generated by a project in relationship to the total amount of GHG emissions generated on a national or global basis, individual projects are not expected to result in significant, direct impacts with respect to climate change. However, given the magnitude of the impact of GHG emissions on the global climate, GHG emissions from new development could result in significant, cumulative impacts with respect to climate change. As discussed in Impacts GHG-1 and GHG-2 above, the project would not make a cumulatively considerable contribution to significant cumulative GHG emissions and would not conflict with or obstruct applicable plans related to GHG emission reductions. Therefore, the project's contribution to global climate change would be less than cumulatively considerable.

Significance without Mitigation: Less than significant impact.

4.8.5 References

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4.9 Hazards and Hazardous Materials

This section describes the regulatory framework and existing conditions related to hazards and hazardous materials, evaluates the potential impacts that could occur as a result of implementation of the proposed project, and details mitigation measures needed to reduce significant impacts, as necessary.

4.9.1 Environmental Setting

4.9.1.1 Regulatory Framework

Development of the proposed project is subject to numerous regulatory requirements and industry standards related to the storage, transport, and use of hazardous materials. Most regulations originate at the state and federal levels, with enforcement by local agencies.

Federal Regulations

Resource Conservation and Recovery Act of 1976

Federal hazardous waste laws are largely promulgated under the Resource Conservation and Recovery Act (RCRA; 40 CFR, Part 260), as amended by the Hazardous and Solid Waste Amendments of 1984 (which are primarily intended to prevent releases from leaking underground storage tanks). These laws provide for the "cradle to grave" regulation of hazardous wastes. Specifically, under RCRA any business, institution or other entity that generates hazardous waste is required to identify and track it from the point of generation until it is recycled, reused or disposed of. The US Environmental Protection Agency (USEPA) has the primary responsibility for implementing RCRA, although individual states are encouraged to seek authorization to implement some or all RCRA provisions (with California an authorized RCRA state as described in Section 4.8.1.7).

Hazardous Material Transportation Act

The US Department of Transportation regulates hazardous materials transportation under 49 CFR, which requires the US Department of Transportation's Office of Hazardous Materials Safety to generate regulations for the safe transportation of hazardous materials. The California Highway Patrol and Caltrans are the State agencies with primary responsibility for enforcing federal and state regulations and responding to hazardous materials transportation emergencies. These agencies also govern permitting for hazardous materials transportation within the state.

Comprehensive Environmental Response, Compensation, and Liability Act

The 1980 Comprehensive Environmental Response, Compensation, and Liability Act, commonly known as Superfund, provides federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. Federal actions related to the Superfund are limited to sites on the National Priorities List for cleanup activities, with the listings based on the USEPA Hazard Ranking System which is a numerical ranking system used to screen potential sites based on criteria such as the likelihood and nature of hazardous material release, and the potential to affect people or environmental resources. The Superfund was amended by the Superfund Amendments and Reauthorization Act (SARA) in 1986 as outlined below.

Superfund Amendments and Reauthorization Act

SARA is intended primarily to address the emergency management of accidental releases, and to establish state and local emergency planning committees responsible for collecting hazardous material inventory, handling and transportation data. Specifically, under Title III of SARA, a nationwide emergency planning and response program established reporting requirements for businesses that store, handle or produce significant quantities of hazardous or acutely toxic substances as defined under federal laws. Title III of SARA also requires each state to implement a comprehensive system to inform federal authorities, local agencies and the public when significant quantities of hazardous or acutely toxic substances are stored or handled at a facility. These data are made available to the community at large under the "right-to-know" provision, with SARA also requiring annual reporting of continuous emissions and accidental releases of specified compounds.

State Regulations

California hazardous materials and waste regulations are equally or more stringent than federal regulations. The USEPA has granted the State primary oversight responsibility to administer and enforce hazardous waste management programs. State regulations require planning and management to ensure that hazardous materials are handled, stored, and disposed of properly to reduce risks to human health and the environment. Several important State laws pertaining to hazardous materials and wastes are discussed below.

California Environmental Protection Agency

The California EPA was created in 1991 by EO W-5-91. Several State regulatory boards, departments, and offices were placed under the Agency's umbrella to create a cabinet-level voice for the protection of human health and the environment and to assure the coordinated deployment of State resources. The California EPA also oversees the unified hazardous waste and hazardous materials management regulatory program (Unified Program). Under the Unified Program, the California EPA designates local agencies to act as the Certified Unified Program Agency (CUPA) to manage hazardous waste and hazardous materials in a region.

California Department of Toxic Substances Control

The California Department of Toxic Substances Control (DTSC), which is a department of the California EPA, is authorized to carry out the federal hazardous waste program in California to protect people from exposure to hazardous wastes. The department regulates hazardous waste, cleans up existing contamination, and looks for ways to control and reduce the hazardous waste produced in California. Permitting, inspection, compliance, and corrective action programs ensure that people who manage hazardous waste follow federal and State requirements and other laws that affect hazardous waste specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning.

California Division of Occupational Safety and Health

Occupational safety standards exist in federal and state laws to minimize worker safety risks from both physical and chemical hazards in the workplace. The California Division of Occupational Safety and Health (Cal/OSHA) and the federal Occupational Safety and Health Administration (OSHA) are the agencies responsible for assuring worker safety in the workplace.

Cal/OSHA assumes primary responsibility for developing and enforcing standards for safe workplaces and work practices within the state. At sites known to be contaminated, a site safety plan must be prepared to protect workers. The site safety plan establishes policies and procedures to protect workers and the public from exposure to potential hazards to the contaminated site.

California Building Code

The State of California provides minimum standards for building design and construction through Title 24 of the California Code of Regulations. The California Building Code is located in Part 2 of Title 24 and is adopted by reference in Chapter 14.08, Building and Safety, of the Inyo County Code. The California Building Code is updated every three years. Commercial and residential buildings are plan-checked by County building officials for compliance with the typical fire safety and other requirements of the California Building Code.

California Emergency Management Agency

The California Emergency Management Agency adopted the State Hazard Mitigation Plan in 2007. This plan is the official statement of California's statewide hazard mitigation goals, strategies, and priorities. Hazard mitigation can be defined as any action taken to reduce or eliminate long-term risk to life and property by natural and human caused disasters. The plan, required under federal law, includes chapters on hazard assessment, local hazard mitigation planning, and mitigation strategy, and it must be updated every three years.

California Fire Code

The California Fire Code adopts by reference the International Fire Code with necessary State amendments. Updated every three years, the California Fire Code includes provisions and standards for emergency planning and preparedness, fire service features, fire protection systems, hazardous materials, fire flow requirements, and fire hydrant locations and distribution. Typical fire safety requirements include the following: installation of sprinklers in all high-rise buildings; the establishment of fire resistance standards for fire doors, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildfire hazard areas.

California Department of Forestry and Fire Protection

Sections 4201–4204 of the California Public Resources Code and Sections 51175–51189 of the Government Code require identification of fire hazard severity zones (FHSZ) within the State of California. Areas where the State of California has ultimate financial responsibility for wildfire suppression are referred to as "state responsibility areas" (SRA). In SRAs, the California Department of Forestry and Fire Protection (CAL FIRE) is required to delineate three hazard ranges: moderate, high, and very high; whereas "local responsibility areas" (LRA), which are typically developed or agricultural lands under the jurisdiction of local entities (e.g., cities, counties), are required to only identify very high fire hazard severity zones. The hazard ranges are measured quantitatively, based on vegetation, topography, weather, crown fire potential (a fire's tendency to burn upward into trees and tall brush), and ember production and movement within the area of question.

Most of the land in Inyo County is owned by the federal government and, thus, is considered to be Federal Responsibility Areas (FRA). Most of the areas along the US 395 corridor (excluding the City of

Bishop and reservations) in northern Inyo County are located within SRA. According to CAL FIRE's fire hazard severity mapping, all project parcels are within High FHSZs of SRA (CAL FIRE 2021).

Local Regulations

City of Bishop General Plan

The Safety Element of the City of Bishop's General Plan contains the following goals and policies related to hazards and hazardous materials:

- Goals
    - To preserve and protect the overall health, safety and wellbeing of the community's residents, businesses, and visitors.
    - To minimize potential hazards to public health, safety, and the wellbeing of the community resulting from natural and man-made hazards.
    - To provide assurance to the community that all solid waste and hazardous materials are disposed of according to all applicable local, state, and federal standards.
    - To provide for an orderly, planned expansion of public safety agencies and services.
- Policies
    - The City's water systems shall be designed and developed to include fire hydrants, storage and fire slows which meet the appropriate standards for the type and intensity of land use.
    - The interconnection between major water systems is encouraged to provide backup supplies in the event of an emergency.
    - Implement the safety related recommendations for the Bishop Airport Master Plan as they relate to land use development within the City, and coordinate implementation of policies with the Airport Land Use Commission (ALUC).
    - Continue to coordinate the City's disaster preparedness plan with the Inyo County Disaster Services Office and periodically update emergency information with the acting public safety officials.
    - Assure that adequate staffing, training, and education is maintained for public safety organizations, including police, fire, and public works departments.
    - The City will coordinate efforts for the handling and transport of hazardous waste with Inyo County and programs identified in the Integrated Waste Management Plan.
    - All development proposed within flood prone areas must incorporate design solutions and strategies to minimize impacts related to flood hazards.
    - The City will require all new buildings incorporate earthquake mitigation construction techniques according to the Uniform Building Code.
    - The City will encourage citizen participation in a Neighborhood Watch program and the incorporation of building security systems.
    - The City shall continue to monitor the traffic safety problems within Bishop, especially along the Highway 395 corridor, and identify measures which will minimize hazards to pedestrians and motorists.

Inyo County Environmental Health Services Department

As noted above under State Regulations, the Inyo County Environmental Health Services Department (EHSD) is the local Certified Unified Program Agency, and has jurisdiction over Hazardous Materials

Business Emergency Plans (HMBEP) in the County. The EHSD provides detailed guidelines for the preparation and implementation of HMBEPs, including direction on covered businesses/materials, storage/safety criteria, spill prevention/mitigation, emergency/contingency response requirements and exemptions.

The County EHSD implements a Hazardous Materials Area Plan (HMAP), which provides direction to EHSD, other agencies and businesses, and the general public regarding appropriate actions and responses in the event of a release or threatened release of hazardous materials (Inyo County 2008). The primary objectives of the HMAP include efforts to:

- Save lives, reduce injuries, and minimize property/environmental damage in the event of an incident involving hazardous materials.
- Describe the pre-emergency preparations, concept of operations, organization, Scene Management System, protective actions and supporting systems required to implement the HMAP.
- Promote a coordinated and integrated response to hazardous materials incidents.
- Define roles and responsibilities of participating departments and agencies.
- Identify lines of authority and coordination when this plan is activated.
- Confine the effects of an immediate hazardous materials incident by guarding against its extension or the occurrence of secondary incidents.
- As part of the strategy to meet the noted objectives, the HMAP identifies the following primary and alternate emergency evacuation routes within the County:

Primary Evacuation Routes – Primary evacuation routes in the County consist of the major streets and highways within the County, as well as the interstate freeway system and state routes.

Alternate Evacuation Routes – Alternate evacuation routes in the County also include major surface streets, with the best routes to be determined at the time of the incident based on site and event-specific conditions (e.g., wind, traffic, population, and the nature/location of the emergency event).

Based on the HMAP descriptions, evacuation routes within the County would include (but not necessarily be limited to) US Highways 395 and 6, and SR 168, 136, 190, 127 and 178. All of these roadways are located within Right of Way (ROW) corridors that restrict encroachment by facilities or activities that would impede roadway operations. Any such encroachment related to project construction or maintenance activities (e.g., for drainage crossing structures) would be required to obtain authorization (e.g., encroachment permits) from the associated management agency (e.g., Caltrans), with related standard remedial measures (e.g., use of flaggers and guide vehicles), and/or to provide alternate routes to ensure the maintenance of adequate traffic operations.

4.9.1.2 Existing Conditions

Environmental Setting

Flooding

Three types of landforms in Inyo County are commonly subject to flooding: stream floodplains, alluvial fan/bajadas, and playas or dry lakes. These hazards can be exacerbated when development occurs within these floodplains or hazard zones, causing additional runoff, modification of floodplains, and public safety risks. New development in the future may also impact flood zones to some extent by increasing impervious surfaces and runoff. High rainfall or snow melt can also lead to hazards such as mudflows and the downstream movement of larger debris flows, such as rocks, trees, and other large debris (Inyo County 2001).

The Owens Valley's alluvial fans and alluvium are products of stream deposition, particularly of floods. Continental climatic conditions combined with high mountains which intercept moisture bearing air masses create an environment conducive to repeated floods. There are two seasons during which the probabilities of flooding increase. Late Spring to early Summer is a period when the danger increases from rapid snow melt. Late Summer to early Fall, the threat comes from snow melt combined with a tropical storm, occurring at a time when the reservoirs on Bishop Creek are full.

The City of Bishop is situated in a low-lying portion of the Owens Valley, which makes many areas in and around the City to be susceptible to periodic flooding. Flood problems tend to be localized, most often occurring in the areas adjacent to the forks of the Bishop Creek and major canals of the area (City of Bishop 1993). The potential loss of access to various residential areas is also a significant flood related problem. Many major streets in and around the City of Bishop cross one or more of the forks of Bishop Creek. Power reservoirs and a partial bypass constructed after the 1969 flood reduce the possibilities of full-scale flooding. Each of the forks of Bishop Creek have channel capacities of approximately 350 cfs with the bypass providing an additional 250 cfs for a total capacity of approximately 1,000 cfs before flooding would occur. However, without continued maintenance, flood debris can significantly reduce channel capacities permitting lesser volumes of water to produce flood damage. The bypass, a straight line diversion connected to the C-drain north and west of the community, is not uniform in its channel capacity. Once north of US Highway 395, the water tends to pond and sheet flow to the east as a result of inadequate capacity.

Hazardous Materials

As described in the Inyo County Environmental Health Services' Hazardous Materials Area Plan, when a hazardous materials incident occurs within the Inyo County the Fire Departments along with the County Sheriff Department are the responsible parties for the County. However, Inyo County does not have a full HazMat Team and utilizes a joint agreement with the neighboring counties as well as private contractors to conduct a coordinated HazMat response. The Fire Departments and the County Sheriff Department shall be placed under the Incident Command System as the responsible parties for conduct of operations through the duration of the incident. Support will be provided by the State and Federal agencies upon request (Inyo County 2008).

The City of Bishop is bisected by US Highway 395, which is the major truck route between southern California and Canada. Many hazardous waste materials are transported on US Highway 395 and could affect local residents and the environment should an accident occur (City of Bishop 1993).

There are no Class I hazardous waste disposal sites in Inyo County and no major hazardous waste generators in the City or the county. Hazardous wastes produced by automotive repair shops constitute the primary source of hazardous waste material. There is currently a program for collection of these materials established by a Reno-based company who makes regularly scheduled pick-up of waste oil (City of Bishop 1993).

Airports

Airport-related hazards are generally associated with aircraft accidents, particularly during takeoff and landing. Airport operation hazards include incompatible land uses, power transmission lines, wildlife hazards (e.g., bird strikes), and tall structures surrounding the airport. The closest airport to the project area is the Eastern Sierra Regional Airport, located approximately 0.5 miles east of the city limits.

The Comprehensive Airport Land Use Plan (CALUP) and the Bishop Airport Master Plan contain a thorough analysis of the existing and proposed airport operations with respect to safety. The CLUP indicates that the Bishop Airport has no major "obstructions detrimental to safe flight operations" and complies with FAR Part 77 regulations. The Airport Hazard Zone is incorporated as part of the Master Plan and requires FAR Part 77 regulations that ensure the airport will remain free of obstructions. All approach surfaces are also free of obstructions except for fences which can be relocated and trees that will require periodic trimming.

Fire Hazards

Fires can be divided into two categories; structural and wildland. The former involves fire prevention through code enforcement and protection through adequate water storage, hydrants and appropriate fire department response. The occurrence and frequency of wildland fires are directly related to climatic conditions, slope, and fuel loading. High temperatures combined with low humidity during the summer months can produce extreme fire conditions. Slope plays a role in the relationship between fire, rising hot air, and fuel: the steeper the slope, the greater the fire hazard potential. Fuel loading ranges from virtually nothing to as much as 36 tons/acre in riparian woodland areas as a result of substantial tree and brush growth (City of Bishop 1993).

Wildland fire hazard potential in the Bishop area is greatest along the Owens River and Bishop Creek riparian woodland areas that are often utilized for recreation. The California Department of Forestry has the primary responsibility for fire protection, though US Bureau of Land Management and US Forest Service assistance is available through cooperative agreements. Response time to high wildland fire hazard areas is estimated to be between 5 and 15 minutes (City of Bishop 1993).

Disaster Preparedness

The City of Bishop has developed the Bishop Emergency Response Plan to be used in the event of a natural or man-made disaster. This plan identifies the roles and responsibilities of governmental agencies in the event of floods, fire, earthquakes, volcanic eruption, and hazardous waste spills. The City of Bishop participates in a Multi-Agency Incident Command System (ICS) that includes Inyo County, the City of Bishop, California Highway Patrol, California Department of Transportation, US Forest Service, US Bureau of Land Management, and LADWP. The Mayor and City administer the responsible contracts for coordination within the ICS. In the event of any major incident, the ICS manages the coordinated response (City of Bishop 1993).

Environmental Database Search

A database search of the project area identified several hazardous waste sites that could potentially cause upset and accident conditions involving the release of hazardous materials into the environment. Two of the primary hazardous material database sites in the State of California are the SWRCB GeoTracker and CalEPA/Department of Toxic Substance Control (DTSC) EnviroStor (Government Code 65962.5/Cortese) lists. As shown in **Figure 4.9-1**, a total of 26 current or former hazardous waste sites were identified within the Study Area, with an additional 24 current or former hazardous waste sites identified within 0.25 miles of the Study Area. Of the cleanup sites reported in the project area, only two are still active sites. These include a Leaking Underground Storage Tank (LUST) cleanup site at the northeast corner of Main Street and Clarke Street and another cleanup site on the north side of West Line Street just west of Fulton Avenue. Cleanup on the remainder of the sites has already been completed. The majority of the completed cleanup sites are other LUST sites which completed cleanup activities prior to 2015.

4.9.2 Significance Thresholds

Based on Appendix G of the CEQA Guidelines, a hazards and hazardous materials impact is considered significant if implementation of the proposed project would:

1. Create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials;
2. Create a significant hazard to the public hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;
3. Emit hazardous emissions or require handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
4. Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Section 65962.5 of the California Government Code and, as a result, would create a significant hazard to the public or the environment;
5. 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 or excessive noise for people residing or working in the project area;
6. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or
7. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

4.9.3 Impact Analysis

HAZ-1 The proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

Implementation of the project would lead to further development and other land use activities that would require the routine transport, use, or disposal of hazardous materials and wastes within the county during construction, and that could result in reasonably foreseeable accident conditions involving the release of hazardous materials into the environment.

In the event of a hazardous materials incident, the local fire department and the County Sheriff Department would respond; however, since Inyo County does not have a full HazMat Team the County agencies would utilize their joint agreement with the neighboring counties as well as private contractors to conduct a coordinated HazMat response. California Highway Patrol (CHP) and/or the Inyo County Sheriff's Department would also respond to provide traffic control, investigation, and/or incident command if needed. The County would continue to offer its free hazardous household waste disposal program through the Inyo County EHSD. The CUPA would also provide oversight of cleanup activities and permitting for hazardous waste generators.

All development associated with the proposed project would be required to be consistent with the General Plan and policies therein addressing hazardous materials. Existing regulations, including the policies of the General Plan, would ensure that hazardous materials are handled in a safe manner. For these reasons, the impact would be less than significant.

Significance without Mitigation: Less than significant.

HAZ-2 The proposed project would not 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.

The proposed project would create a Downtown Bishop Specific Plan and Mixed-Use Overlay Zone in the City of Bishop to guide future growth of the City. During any demolition and construction that takes place within the Specific Plan area or Mixed-Use Overlay zone, all oil, gasoline, diesel fuel, paints, solvents, and disposal of hazardous materials are subject to local, State, and federal regulations to minimize risk and exposure. No extremely hazardous substances (i.e., those governed pursuant to Title 40, Part 335 of the Code of Federal Regulations) are anticipated to be produced, used, stored, transported, or disposed of as a result of the proposed project. If spilled, these substances could pose a risk to the environment and to human health. However, both federal and State laws include provisions for the safe handling of hazardous substances. All relevant regulations would be complied with, and any spills would be immediately addressed following the manufacturer's recommendations and any relevant agency requirements. Following demolition and construction, the use or storage of hazardous materials would not be expected other than minor amounts of residential cleaning products, automotive fluids, pesticides, and herbicides, but they would be utilized in small quantities and would not result in significant hazards to the public or environment. Therefore, with compliance to local, State, and federal regulations, potential impacts from the routine transport, use, disposal, or accidental release of hazardous materials would be less than significant.

Implementation of the proposed project could lead to new development. Construction equipment that is typically used for development projects has the potential to release oils, greases, solvents, and other finishing materials through accidental spills. Given the nature of hazardous materials that would be used, stored, or disposed of (e.g., materials for construction equipment, contaminated soil), there is a possibility for upset and accident conditions involving the release of hazardous materials into the environment. Accidental releases of small quantities of these substances could contaminate soils and degrade the quality of surface water and groundwater, resulting in a public safety hazard. However, the handling and disposal of these materials would be governed according to regulations enforced by Cal/OSHA, and DTSC. In addition, regulations under the federal Clean Water Act require contractors to avoid allowing the release of materials into surface waters as part of their stormwater pollution

prevention plan and National Pollutant Discharge Elimination System permit requirements (see Section 4.10, Hydrology and Water Quality, for a discussion of stormwater pollution prevention plans). Therefore, it is not anticipated that use of hazardous materials during construction would result in a reasonably foreseeable upset or accident condition that would cause significant hazard to the public or environment.

Reasonably foreseeable spills under operational conditions would be handled according to the specifications of the Inyo County Environmental Health Services Division and the Hazardous Materials Area Plan. This plan governs the preparation and implementation of the County's emergency response to chemical spills in the community. Based on the existing regulatory schemes, this impact would be less than significant and no mitigation is required.

Significance without Mitigation: Less than significant impact.

HAZ-3 The proposed project would not emit hazardous emissions or require handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

There are six schools located within the area of the proposed project or within 0.25 miles of the project area. The schools are listed below, along with their approximate distances from the proposed project.

TABLE 4.9-1.
DISTANCE OF SCHOOLS FROM PROPOSED PROJECT

School	Approximate Distance from Proposed Project (miles)
Bishop Grammar School	Within project area
Bishop Union High School	0.05
Discovery Point Pre-School	Within project area
Home Street Middle School	0.2
Imaca Headstart State Preschool	0.1
Grace Lutheran Christian Day	0.01

There are six schools located within 0.25 mile of the proposed project. Implementation of the proposed project could lead to further development and the intensification of land uses that could result in the release of hazardous emissions or entail the handling of hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school. While the implementation of the proposed project would not lead to development for land uses that require routine use of hazardous materials, hazardous materials may be present onsite during construction. There are existing schools located within 0.25 miles of several of the proposed project. The General Plan does not explicitly incorporate policies to limit the use of hazardous materials near school sites or limit the development of proposed schools near the existing contamination. The City also routinely consults with school districts prior to discretionary approval of new businesses and industry that use hazardous materials near existing school sites as part of the project review process. Additionally, school siting regulations implemented by the Department of Education prohibit locating schools near existing contamination. Therefore, this impact would be less than significant and no mitigation is required.

Significance without Mitigation: Less than significant impact.

HAZ-4 The proposed project would not be located on a site that is included on a list of hazardous materials compiled pursuant to Section 65962.5 of the California Government Code and, as a result, would not create a significant hazard to the public or the environment.

The list under Section 65962.5, also known as the Cortese list, consists of sites identified by the SWRCB for Leaking Underground Storage Tanks, the Integrated Waste Board for State and tribal landfill and/or solid waste disposal sites, and the DTSC for potential or confirmed hazardous substance releases (Cal-Sites, now replaced by ENVIROSTOR). A database search of the proposed project site and a 0.25-mile search radius was conducted pursuant to Section 65962.5 of the California Government Code that identified a total of 50 hazardous materials sites within the search radius. Of the 26 sites identified within the project area, only 2 have cleanups that are still in progress. The proposed project consists of the development and implementation of a Specific Plan and Mixed-Use Overlay zone in downtown Bishop, which could allow for additional development in downtown Bishop such as increased density and mixed-use buildings. Any development that takes place as the result of the proposed project in proximity to either of these two hazardous materials sites would be required to comply with federal, state, and local regulations surrounding hazardous materials and hazardous waste sites. Compliance with these regulations would ensure that development that takes place as a result of the proposed project would not create a significant hazard to the public or the environment. Therefore, the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

HAZ-5 The proposed project would be located within two miles of a public airport or public use airport, although the project would not result in a safety hazard or excessive noise for people residing or working in the project area.

The closest airport to the project area is the Eastern Sierra Regional Airport, located approximately 1 mile east of the project area. The project would comply with the stated policies of the General Plan, including the requirement that development projects within the City implement the safety-related height and land use recommendations of the Bishop Airport Master Plan and coordinate the implementation of these policies with the ALUC. Development under the proposed project would also comply with the requirements of Inyo County's Airport Hazard Overlay District, which includes height and land use regulations in the vicinity of county airports to promote the health and safety of the public. Implementation of the policies of the General Plan and compliance with the requirements of the Airport Hazard Overlay District would reduce any risks associated with people residing or working near airports to less than significant.

Significance without Mitigation: Less than significant.

HAZ-6 The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Construction projects implemented within the project area could cause temporary changes in emergency access. There are no specific development projects associated with the project. As subsequent development projects are proposed in the City, each project would be reviewed to ensure continued roadway safety and emergency access. Existing City requirements for construction projects require signage and an access plan to ensure continued emergency access during construction. The project does not propose any changes in land uses or development patterns that would result in impairment or physical interference of emergency response plans or evacuation plans since all potential development would occur as infill. Consequently, the impact is considered to be less than significant, and no mitigation is required.

Significance without Mitigation: Less than significant.

HAZ-7 The proposed project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.

Fire protection is addressed in the discussion of State and local firefighting personnel and facilities, including wildland fire, structure fire, and basic hazardous materials response, in Section 4.15 of this EIR. For information relating to wildfire risks and response for each of the project parcels, see Section 4.20 of this EIR.

The project area is within the City of Bishop and largely concentrated along the US Highway 395 corridor. In the event of an emergency, all residents would have ready access to that route along with access to other potential evacuation routes if needed. The broad, flat topography favors multiple routes of ingress and egress in the case of evacuations. The project area is located within an established community and does not immediately border areas of natural vegetation.

According to CAL FIRE's fire hazard severity zone map, the project area is located in High FHSZs (CAL FIRE 2021). CAL FIRE bears ultimate financial responsibility for wildfire suppression in SRA, but given that local government stations are located significantly closer to several of the project parcels than CAL FIRE stations, initial attack, and responses to less complex incidents, would be provided by the Bishop Fire Department. CAL FIRE would send additional resources and respond to complex incidents in the area. See section 4.20 of this EIR for a more detailed discussion.

There are sufficient facilities and fire personnel serving the project area; the headquarters of the Bishop Fire Department is located within the project area and two additional fire stations are located within 2 miles of the project area. Additionally, given that the proposed project is located in SRA, development in any parcel would be required to comply with State wildfire regulations including requirements for defensible space and site ingress and egress. Compliance with these policies along with all other pertinent local, state, and federal policies and codes would ensure that any development as a result of project implementation would not significantly increase risks involving wildland fire hazards for people or structures, either directly or indirectly. Therefore, this impact would be less than significant, and no mitigation is required.

Significance without Mitigation: Less than significant impact.

4.9.4 Cumulative Impacts

HAZ-8 The proposed project would not contribute to a significant cumulative impact with respect to hazards and hazardous substances.

Cumulative impacts related to hazards and hazardous materials would occur when the proposed project, in combination with other projects in and around the City of Bishop, would directly or indirectly create a significant hazard through the transport, use, or disposal of hazardous materials; accidental release of hazardous materials; emit hazardous emissions in proximity to a school; be located on a hazardous materials site; result in a safety hazard or excessive noise in proximity to an airport; or impair implementation of or physically interfere with an adopted emergency plan. As discussed above, implementation of the proposed project would result in a less than significant impact to hazards and hazardous materials with the implementation of BMPs.

The cumulative development projects included in **Table 4-1** could involve the storage, use, disposal, and transport of hazardous materials to some degree during construction and operation. None of the cumulative projects is associated with the production and manufacturing of hazardous materials other than incidental hazardous materials as a by-product of the site activity. All cumulative development projects, including the proposed project, when considered with the cumulative projects would not create a cumulative hazard to the public or environment related to the handling or accidental release of hazardous materials.

The proposed Downtown Specific Plan and Mixed-Use Overlay zone is located in an area that is predominantly urban that is not considered at significant risk of wildfire. The projects included in **Table 4-1** would occur within or adjacent to the City of Bishop. Some of the projects near or outside the city limits may be located in areas that are prone to wildland fires that could result in significant loss, damage, or death. Where cumulative projects are constructed in close proximity, the cumulative impact is increased. However, there are sufficient facilities and fire personnel serving the project area and surrounding area to handle wildland fires. Therefore, the proposed project and cumulative projects would not have a cumulatively considerable effect on wildland fire hazards.

Significance without Mitigation: Less than significant impact.

4.9.5 References

California Department of Forestry and Fire Protection (CAL FIRE). 2021. California Fire Hazard Severity Zone Viewer. Accessed on June 9, 2021 from: https://egis.fire.ca.gov/FHSZ/.

City of Bishop. 1993. General Plan. Accessed October 22, 2021 and available at: https://www.cityofbishop.com/Document%20Center/Department/Planning/General%20Plan/Safety.pdf.

Department of Toxic Substances Control (DTSC). 2021. EnviroStor Database. Accessed October 30, 2021 and available at: https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=Bishop%2C+CA.

Inyo County. 2001. Goals and Policies Report for the Inyo County General Plan. Accessed June 2, 2021 and available at: https://www.inyocounty.us/sites/default/files/2020-02/GP%20Goals%20and%20Policy%20Report%2012.2001.pdf.

2008. Inyo County Hazardous Materials Area Plan. Accessed July 1, 2021 and available at: https://www.inyocounty.us/sites/default/files/2019-07/FINALInyoHMAP.pdf.

State Water Resources Control Board (SWRCB). 2021. GeoTracker Database. Accessed October 30, 2021 and available at: https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=bishop%2C+ca.

4.10 Hydrology and Water Quality

This section describes the regulatory framework and existing conditions related to hydrology and water quality, evaluates the potential impacts that could occur as a result of implementation of the proposed project, and details mitigation measures needed to reduce significant impacts, as necessary.

4.10.1 Environmental Setting

4.10.1.1 Regulatory Framework

Federal Regulations

Federal Water Pollution Control Act, also known as the Clean Water Act

The following are potentially applicable sections of the CWA (33 USC 1251-13176).

Section 303 and 305 - Total Maximum Daily Load Program

The State of California adopts water quality standards to protect beneficial uses of state waters as required by the Clean Water Act (CWA) Section 303 Total Maximum Daily Load (TMDL) Program and the State's Porter-Cologne Water Quality Control Act of 1969 (Porter-Cologne Act). CWA Section 303(d) established the TMDL process to guide the application of state water quality standards (see the discussion of state water quality standards below). To identify candidate water bodies for TMDL analysis, a list of water quality–limited streams is generated. Such streams are considered to be impaired by the presence of pollutants, including sediments, and to have no additional capacity for these pollutants.

In addition to the impaired water body list required by CWA Section 303(d), CWA Section 305(b) requires states to develop a report that assesses statewide surface water quality. Both CWA requirements are addressed through the development of a 303(d)/305(b) Integrated Report, which provides both an update to the 303(d) list and a 305(b) assessment of statewide water quality. The SWRCB's statewide 2014/2016 California Integrated Report was based on Integrated Reports from each of the nine RWQCBs. After approval of the Section 303(d) list portion of the California Integrated Report by the SWRCB, the complete 2014 and 2016 California Integrated Report was approved by the USEPA on April 6, 2018.

Section 401 - Water Quality Certification

CWA Section 401 requires that an applicant obtain a water quality certification (or waiver) for pursuing a federal permit to conduct any activity that may result in a discharge of a pollutant to a regulated water body. Water quality certifications are issued by the RWQCBs in California, and the Lahontan RWQCB is responsible for issuing certifications in the Inyo County area. Under the CWA, the state (as implemented by the relevant RWQCB) must issue or waive a CWA Section 401 water quality certification for a Project to be permitted under CWA Section 404. Water quality certification requires the evaluation of water quality considerations associated with dredging or the placement of fill materials into waters of the United States. Construction of the proposed project would require a CWA 401 certification for the Project if CWA Section 404 requirements are triggered.

Section 402 - National Pollutant Discharge Elimination System Program (NPDES)

The 1972 amendments to the Federal Water Pollution Control Act established the NPDES permit program to control discharges of pollutants from point sources (CWA Section 402). The 1987 amendments to the CWA created a new section of the CWA that is devoted to stormwater permitting (CWA 402[p]). USEPA has granted the State of California primacy in administering and enforcing the provisions of CWA and the NPDES permit program. The NPDES permit program is the primary federal program that regulates point-source and nonpoint-source discharges to waters of the United States.

The SWRCB issues both general and individual permits for certain activities. Although implemented at the state and local level, relevant general and individual NPDES permits are discussed below.

Construction Activities

Dischargers whose projects disturb 1 or more acres of soil, or whose projects disturb less than 1 acre but are part of a larger common plan of development that in total disturbs 1 or more acres, are required to file a notice of intent to obtain coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, as amended by 2010-0014-DWQ and 2012-006-DWQ) (Construction General Permit). Construction activities subject to this permit include clearing, grading, and disturbances to the ground such as stockpiling or excavation, but do not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility.

The Construction General Permit requires the preparation and implementation of a storm water pollution prevention plan (SWPPP), which must be completed before construction begins. The SWPPP should contain a site map that shows the construction site perimeter; existing and proposed buildings, lots, roadways, and stormwater collection and discharge points; general topography both before and after construction; and drainage patterns across the project site. The SWPPP must list the best management practices (BMP) that the discharger will use to manage stormwater runoff and describe the placement of those BMPs. Additionally, the SWPPP must contain a visual monitoring program, a monitoring program for pollutants that are not visible to be implemented if there is a failure of BMPs, and a pH and turbidity monitoring program if the site discharges to a water body listed on the 303(d) list for sediment. The Construction General Permit describes the elements that must be contained in a SWPPP.

Section 404 - Permits for Fill Placement in Waters and Wetlands

CWA Section 404 regulates the discharge of dredged and fill materials into waters of the U.S., which include oceans, bays, rivers, streams, lakes, ponds, and wetlands. Project proponents must obtain a permit from the USACE for all discharges of dredged or fill material into waters of the US before proceeding with a proposed activity. Before any actions are implemented that may affect surface waters, a delineation of jurisdictional waters of the US must be completed, following USACE protocols, to determine whether the study area contains wetlands or other waters of the US that qualify for CWA protection. These areas include the following:

- Sections within the ordinary high-water mark of a stream, including non-perennial streams with a defined bed and bank and any stream channel that conveys natural runoff, even if it has been realigned.

- Seasonal and perennial wetlands, including coastal wetlands.

Section 404 permits may be issued for only the least environmentally damaging practical alternative (i.e., authorization of a proposed discharge is prohibited if there is a practical alternative that would have fewer significant effects and lacks other significant consequences). Section 404 would apply if project construction was proposed within waters of the U.S.

State Regulations

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act (Porter-Cologne Act, Water Code Section 13000 et seq.) is California's statutory authority for the protection of water quality in conjunction with the federal CWA. The Porter-Cologne Act requires the SWRCB and RWQCBs under the CWA to adopt and periodically update water quality control plans, or basin plans. Basin plans are plans in which beneficial uses, water quality objectives, and implementation programs are established for each of the nine regions in California. The Porter-Cologne Act also requires dischargers of pollutants or dredged or fill material to notify the RWQCBs of such activities by filing Reports of Waste Discharge and authorizes the SWRCB and RWQCBs to issue and enforce waste discharge requirements, NPDES permits, Section 401 water quality certifications, or other approvals.

California Regional Water Quality Control Board and Lahontan Regional Water Quality Control Board Basin Plan

Water quality in streams and aquifers of the region is guided and regulated by the respective RWQCB basin plans. State policy for water quality control is directed at achieving the highest water quality consistent with the maximum benefit to the people of the state. The proposed project is under the jurisdiction of the Lahontan RWQCB, which established regulatory standards and objectives for water quality in its Water Quality Control Plan for the Lahontan Region, commonly referred to as the Basin Plan, summarized below.

Lahontan Region Basin Plan

The Lahontan Basin Plan establishes a number of beneficial uses and water quality objectives for surface and groundwater resources in the Lahontan Region. Beneficial uses are generally defined as the uses of water necessary for the survival or well-being of man, plus plants and wildlife.

Water quality objectives identified in the Basin Plan are based on established beneficial uses and non-degradation policy requirements and are defined in the Porter-Cologne Water Quality Control Act as "the allowable limits or levels of water quality constituents or characteristics which are established for the reasonable protection of beneficial uses of water or the prevention of nuisance within a specific area." Beneficial uses are described above, while the non-degradation policy is generally intended to maintain existing water quality where it exceeds Basin Plan objectives. Water quality objectives for the Lahontan Basin include both narrative requirements (which can encompass qualitative and quantitative standards) and specific numeric objectives for identified contaminants and waters. All groundwater resources in the Lahontan Basin with a MUN beneficial use are subject to narrative water quality objectives related to coliform bacteria, chemical constituents (e.g., drinking water standards), radioactivity and taste/odor. Groundwater resources with an AGR beneficial use are also required to

limit chemical constituent levels so as not to adversely affect water use related to agriculture (RWQCB 1995).

The Basin Plan also includes a series of discharge prohibitions, including regional (basin-wide) and HU-specific prohibitions. These restrictions typically involve discharges such as untreated waste, wastewater or sewage effluent that would "…individually or collectively, directly or indirectly, adversely affect water quality or beneficial uses." As part of the related implementation strategy, the Basin Plan provides standards for discharges such as sewage effluent, septic systems, and solid/liquid wastes for areas not covered by NPDES municipal permits or individual WDRs, including individual locations/dischargers in the County. These standards provide criteria such as treatment measures, discharge/percolation restrictions (e.g., rates and locations), constituent limitations for applicable discharges, and monitoring/testing requirements.

Sustainable Groundwater Management Act

The Sustainable Groundwater Management Act (SGMA) is a three-bill package that passed the California state legislature and was signed into California state law by Governor Jerry Brown in September 2014. SGMA establishes a framework for long-term sustainable groundwater management across California and requires local agencies to bring overdrafted basins into balanced levels of pumping and recharge. The California Department of Water Resources (DWR) uses the California Statewide Groundwater Elevation Model Priority List to rank groundwater basins across the State according to priority levels of high, medium, low, or very low, and SGMA specifies deadlines for completion of Groundwater Sustainability Plans (GSP) in order of basin priority. Under SGMA, high- and medium-priority basins, as designated by the DWR, must establish Groundwater Sustainability Agencies (GSA) that oversee the preparation and implementation of a local GSP.

Local Regulations

City of Bishop General Plan

The Conservation/Open Space Element of the City of Bishop's General Plan contains the following goals and policies related to geology and soils (City of Bishop 1993):

- Goals
    - To insure that the productive resources, including water resources, are not allowed to deteriorate due to misuse, overuse, or abuse.
- Policies
    - Maintain a buffer or setback of 50 feet from Bishop Creek measured from the stream. Developed areas on private lands are excluded from these setback provisions. However, development is discouraged in such areas.
    - The City shall cooperate with the Lahontan Regional Water Quality Control Board in protecting the water quality of the Bishop aquifers.

Grading Ordinances

Pursuant to City of Bishop Municipal Code Title 16, Chapter 16.32, Section 16.32.030 (Grading and Stripping Restrictions), the following requirements are identified for grading operations:

> Where grading or filling or stripping of vegetation is not done concurrently with the final map or parcel map improvements and bonds required therefore, no grading or filling or stripping of vegetation within the boundaries of the subdivision shall be permitted until the advisory agency has given approval and has provided for any necessary interim erosion control and planting to protect adjoining private and public property and the general welfare, a grading permit has been issued in accordance with such conditions and the required grading bond has been filed.

Pursuant to City of Bishop Municipal Code Title 16, Chapter 16.12, Section 16.12.160 (Grading and Erosion Control), the following requirements are identified for grading operations:

> Every map approved pursuant to this title shall be conditioned on compliance with the requirements for grading and erosion control, including the prevention of sedimentation or damage to offsite property, set forth in this title.

Flood Damage Prevention Ordinance

Pursuant to City of Bishop Municipal Code Title 15, Chapter 15.20, Section 15.20.040 (Methods of Reducing Flood Losses), the following requirements are identified for flood damage prevention:

A. Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or flood heights or velocities;

B. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

C. Control the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;

D. Control filling, grading, dredging, and other development which may increase flood damage; and

E. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

4.10.1.2 Existing Conditions

Surface Water Hydrology

Water resources in and around the City of Bishop originate in the adjacent mountains as snowfall. The City of Bishop is located in the lower Bishop Creek drainage, the largest tributary to the Owens River which passes to the northeast of the city. Both Bishop Creek and the Owens River are regulated by upstream dams. Reservoirs designed to release water for power generation are located on both forks of Bishop Creek. The Owens River is regulated by the Pleasant Valley dam. Approximately 0.5 mile below Southern California Edison's Plant Six, Bishop Creek divides into two streams. The north fork of Bishop Creek passes through Mc-Laren, Bishop Reservation, and lower Dixon Lake/Meadow Farms areas before

joining the Owens River north of the airport. Numerous canals, ditches, and drains interlace the area using water diverted from Owens River and Bishop Creek. The allocation and management of most of this distribution is carried by the Bishop Creek Water Association, in existence since 1897. There are many ponds and water bodies allocated for wildlife habitat. Buckly and Rawson Ponds, located southeast of the airport, are the largest of these ponds (City of Bishop 1993).

Bishop Creek experiences peak flows one out of every five years in response to precipitation. Long term runoff data indicates that Bishop Creek has an average annual discharge of 67,330 acre feet or 93 cubic feet per second (cfs). The Owens River has an average annual discharge of 329,120 acre feet or 440 cfs (City of Bishop 1993).

The project area is located within the North Fork Bishop Creek-Owens River watershed (Hydrologic Unit Code 180901020705). Waterways in the region drain into the upper Owens River. On the eastern Bishop parcel there is a drainage ditch running along the southern boundary of the parcel. Water flows west to east in the drainage ditch and appears to eventually flow into the Bishop Creek canal.

Groundwater

There are 517 groundwater basins and subbasins in California, and DWR is required to prioritize these groundwater basins and subbasins as either high, medium, low, or very low. The Owens Valley groundwater basin covers a 660,648-acre area and is a low priority groundwater basin. All of the proposed project parcels are located over the Owens Valley groundwater basin. The Owens Valley groundwater basin supplies a total of 1,054 wells, 130 of which are public supply wells. The estimated groundwater use in this basin is 134,680 acre-feet which is 84 percent of the basin's groundwater supply. The estimated volume of non-adjudicated water in the Owens Valley groundwater basin is estimated to be 24,346 acre-feet (DWR 2020).

Floodplain

The City of Bishop lies in FEMA's Flood Insurance Rate Map/Panel 06027C0332E, effective 12/3/2020. As shown on the FEMA map, the vast majority of the City including the project area lies within Zone X, Area of Minimal Flood Hazard (FEMA 2021). There are small pockets of Zone AE, Special Flood Hazard Area, along Bishop Creek Canal near Bishop City Park in the northern portion of the Downtown Specific Plan area.

Dam Inundation

The Pleasant Valley dam is the closest dam to the City of Bishop, located approximately 8 miles northwest of downtown Bishop. The Pleasant Valley dam is owned and operated by LADWP and has a High downstream hazard rating. The City of Bishop is not located within the inundation area for the Pleasant Valley dam (DWR 2021).

The Sabrina and Hillside dams are both located approximately 15 miles southwest of downtown Bishop. Both dams are owned and operated by Southern California Edison and have Extremely High downstream hazard ratings. The majority of the City of Bishop, including the project area, is located within the inundation area for the Sabrina and Hillside dams (DWR 2021).

4.10.2 Significance Thresholds

In accordance with Appendix G of the CEQA Guidelines, project-related impacts to hydrology and water quality would be significant if the proposed project would:

1. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality;
2. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin;
3. 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 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 stormwater drainage systems or provide substantial additional sources of polluted runoff; or (iv) impede or redirect flood flows;
4. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; or
5. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

4.10.3 Impact Analysis

HYD-1 The proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.

Site clearing, grading, excavation, and construction activities have the potential to impact water quality through soil erosion and increased silt and debris discharged via surface runoff. Additionally, the use of construction materials such as fuels, solvents, and paints may present a risk to surface water quality. Temporary storage of construction materials and equipment in work areas or staging areas could create the potential for a release of hazardous materials, trash, or sediment to the storm drain system. For any development within the Specific Plan area or Mixed-Use Overlay Zone greater than one acre, the project applicant would be required to enroll for coverage under the Storm Water Construction General Permit (Construction General Permit) for the NPDES program. The Construction General Permit requires the submittal of Permit Registration Documents to the Lahontan RWQCB prior to the start of construction and a Notice of Intent (NOI), risk assessment, site map, annual fee, signed certification statement, SWPPP, and post-construction water balance calculations would be included in the submittal. A project-specific SWPPP would be prepared and BMPs would be implemented during construction. Typical BMPs would include diversion of runoff from disturbed areas, protective measures for sensitive areas, temporary soil stabilization measures, storm water runoff quality control measures, concrete waste management, watering for dust control, and installation of perimeter silt fences, as needed.

The total amount of impervious area within the project parcels would increase upon project construction. Under existing conditions, the project parcels are mostly vacant with pervious surfaces. Following project construction, it is conservatively assumed that 100 percent of each project parcel would be developed with impervious surfaces, consisting of building foundations and paved areas. However, it is reasonable to assume that some areas of the parcels would remain pervious to provide for landscaping and other green areas. The proposed project would comply with the individual NPDES

permit which requires that permanent water quality control devices treat all stormwater to the maximum extent practicable and result in no additional runoff. The proposed project may result in an increase of pollutants associated with the development and degrade water quality. However, implementation of Mitigation Measure HYD-1, which requires compliance with the Construction General Permit and preparation and implementation of a SWPPP and its BMPs, would reduce potential erosion- and sedimentation-related water quality impacts to a less-than-significant level. Therefore, construction of the proposed project would not violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.

Significance without Mitigation: Potentially significant impact.

Mitigation Measure HYD-1: Stormwater Quality Protection

The project applicant shall file an NOI to comply with the Construction General Permit with the Lahontan RWQCB prior to each phase of construction. Individual SWPPPs shall be prepared for each NOI and shall detail the treatment measures and BMPs to control pollutants that shall be implemented and complied with during the construction and post-construction phases of the project. The SWPPPs are subject to approval by the Lahontan RWQCB, which makes the final determination on which BMPs are required for the project. The construction contracts for each project phase shall include the requirement to implement the BMPs in accordance with the SWPPPs, and proper implementation of the specified BMPs is subject to inspection by the Lahontan RWQCB staff. Example BMPs may include practices such as: designation of restricted-entry zones, sediment tracking control measures (e.g., crushed stone or riffle metal plate at construction entrance), truck washdown areas, diversion of runoff away from disturbed areas, protective measures for sensitive areas, outlet protection, provision mulching for soil stabilization during construction, and provision for revegetation upon completion of construction within a given area. The SWPPPs will also prescribe treatment measures to trap sediment once it has been mobilized, such as straw bale barriers, straw mulching, fiber rolls and wattles, silt fencing, and siltation or sediment ponds.

Significance with Mitigation: Less than significant impact.

HYD-2 The project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

The proposed project is located within the City of Bishop, which is currently served by existing water service providers. In the City of Bishop and the surrounding community, water service is provided by the City of Bishop. The City of Bishop and the proposed project are located over the Owens Valley groundwater basin which is a low priority groundwater basin. The Owens Valley groundwater basin supplies a total of 1,054 wells, 130 of which are public supply wells. The estimated groundwater use in this basin is 134,680 acre-feet which is 84 percent of the basin's groundwater supply, and the SGMA 2019 Basin Prioritization estimates assumed an 8 percent population growth from 2010 to 2030 in its estimates. Using the high development scenario described in Section 3.4.3, it is conservatively assumed that implementation of the proposed project could create dwelling units for up to 840 residents over the next 20 years. As of 2020, the population of the City of Bishop was 3,821 persons and the population of Inyo County as a whole was 18,584 persons. The addition of 840 residents over 20 years would represent a 22 percent increase in the City's population, but only a 4.5 percent increase in the population of the County as a whole. The 2019 SGMA Basin Prioritization report concluded that the

Owens Valley groundwater basin has sufficient groundwater supplies to accommodate an 8 percent population growth, and the proposed project would not exceed the rate of population growth that the basin can support (DWR 2020). Therefore, the proposed project is not anticipated to substantially decrease groundwater supplies, and impacts would be less than significant.

While the proposed project would result in additional impervious surfaces on the project parcels which can interfere with the natural groundwater recharge process, the project parcels are not a significant source of recharge for the Owens Valley groundwater basin. The Owens Valley groundwater basin covers a 660,648-acre area, and assuming a maximum buildout scenario, 100 percent of the total area of the Specific Plan and Mixed-Use Overlay would be developed with impervious surfaces for a total of 302.4 acres (or less than 0.0005 percent of the Owens Valley groundwater basin area). Therefore, the proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin, and impacts would be less than significant.

Significance without Mitigation: Less than significant impact.

HYD-3 The project may 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 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 stormwater drainage systems or provide substantial additional sources of polluted runoff; or (iv) impede or redirect flood flows.

(i) result in substantial erosion or siltation on- or off-site;

Substantial erosion or siltation due to development of the proposed project is not anticipated. The area that includes the proposed project is relatively flat, and assuming maximum buildout, would result in the development or redevelopment of 302.4 acres in the City of Bishop. All runoff from the project site would be directed to stormwater drainages installed within and immediately adjacent to the parcels that would connect to existing stormwater infrastructure in the City of Bishop. The development of the project parcels would include a storm drain system consisting of Low Impact Development (LID) measures, curbs and gutters along the roadways and sidewalk, and underground storm drainpipes that would be installed throughout the parcel to accommodate stormwater runoff. The storm drainage system and stormwater control plan for each project parcel would be designed by qualified engineers in collaboration with the City of Bishop public works department to ensure the proposed stormwater drainage system and control plan would adequately manage stormwater runoff and minimize the potential for erosion or siltation. Therefore, the proposed project would not substantially alter the existing drainage pattern of a parcel in a manner that would result in substantial erosion or siltation on- or off-site.

Significance without Mitigation: Less than significant impact.

(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;

As described above, the project area is not located within a 100-year flood zone. A storm drain system would be designed for the development of each parcel that would consist of LID measures, curbs and gutters along the roadways and sidewalks, and underground storm drainpipes that would be installed throughout the parcel to accommodate stormwater runoff. The storm drainage system and stormwater control plan for each project parcel would be designed by qualified engineers in collaboration with the City of Bishop public works departments to ensure the proposed stormwater drainage system and control plan would adequately manage stormwater runoff and minimize the potential for on- or off-site flooding. The proposed project, therefore, would not substantially alter the existing drainage pattern or rate of runoff at the project parcels in a manner that would result in flooding in the area or downstream of the area. Therefore, impacts would be less than significant.

Significance without Mitigation: Less than significant impact.

(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

The project area is relatively flat, and assuming maximum buildout, would result in the development or redevelopment of 302.4 acres in the City of Bishop. All runoff from the project site would be directed to stormwater drainages installed within and immediately adjacent to the parcel that would connect to existing stormwater infrastructure in the City of Bishop. The development of the project parcels would include a storm drain system consisting of LID measures, curbs and gutters along the roadways and sidewalk, and underground storm drainpipes that would be installed throughout the parcel to accommodate stormwater runoff. The storm drainage system and stormwater control plan for each project parcel would be designed by qualified engineers in collaboration with the City of Bishop public works department to ensure the proposed stormwater drainage system and control plan would adequately manage the anticipated increase in stormwater runoff. Additionally, potential other sources of polluted runoff from project construction and operation would be controlled through the preparation and implementation of an erosion control plan, SWPPP, and Stormwater Management Plan (SWMP) consistent with recommended design criteria in accordance with the NPDES permitting requirements. Therefore, implementation of the proposed project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems, and impacts would be less than significant.

Significance without Mitigation: Less than significant impact.

(iv) Impede or redirect flood flows?

The project is located in an area of minimal flood concerns, and development of the project parcels would not impact flooding on site or downstream. The proposed residential developments would not place structures within a 100-year flood hazard area that would substantially impede or redirect flood flows, and impacts would be less than significant.

Significance without Mitigation: Less than significant impact.

HYD-4 The project would not risk release of pollutants due to project inundation due to flood hazards, tsunamis, or seiches.

The Pleasant Valley dam is the closest dam to the City of Bishop, located approximately 8 miles northwest of downtown Bishop. The Pleasant Valley dam is owned and operated by LADWP and has a High downstream hazard rating. The City of Bishop is not located within the inundation area for the Pleasant Valley dam (DWR 2021).

The Sabrina and Hillside dams are both located approximately 15 miles southwest of downtown Bishop. Both dams are owned and operated by Southern California Edison and have Extremely High downstream hazard ratings. The majority of the City of Bishop, including the project area, is located within the inundation area for the Sabrina and Hillside dams (DWR 2021). The project area could be inundated if two of the upstream dams, Sabrina or Hillside, were to fail. Although the two dams pose a risk of inundation to much of the project area, the dams are located 15 miles southwest of the project area and are inspected on an annual basis to ensure that the dams are safe and are not developing any problems that could lead to dam failure (DWR 2021). The risk of dam failure is extremely low and is not considered a significant hazard that could risk releasing pollutants due to project inundation.

FEMA flood insurance rate maps identify that the project area is located within Zone X, with a small portion within Zone AE near the Bishop Creek Canal. Therefore, the project area is not located within a 100-year Special Flood Hazards Area, and the project would not risk release of pollutants due to flood hazards (FEMA 2021).

The project area is approximately 200 miles inland from the Pacific Ocean and is not subject to tsunamis. The project area is also not subject to seiche as the nearest lakes or reservoirs over eight miles from the project area and dammed as discussed above. Therefore, impacts from the risk of release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones would be less than significant.

Significance without Mitigation: Less than significant impact.

HYD-5 The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Project construction and operation would comply with local, State, and federal regulations, including the NPDES Construction General Permit, Basin Plan, and the City's Code. Commonly practiced BMPs, as required by these regulations, would be implemented to control construction site runoff and reduce the discharge of pollutants to storm drain systems from stormwater and other nonpoint-source runoff. As part of compliance with permit requirements during ground-disturbing or construction activities, implementation of water quality control measures and BMPs would ensure that water quality standards would be achieved, including the water quality objectives that protect designated beneficial uses of surface and groundwater, as defined in the Water Quality Control Plan for the Lahontan Region. Construction runoff would also have to be in compliance with the appropriate water quality objectives or water quality standards, including designated beneficial uses. Therefore, the project would not obstruct implementation of a water quality control plan.

Conflict with a sustainable groundwater management plan is not anticipated from project implementation. As discussed above, the proposed project is located over the Owens Valley

groundwater basin which is a low priority groundwater basin. The Owens Valley groundwater basin supplies a total of 1,054 wells, 130 of which are public supply wells. The SGMA 2019 Basin Prioritization report estimated an 8 percent population growth from 2010 to 2030 when considering the low priority rank. Using the high development scenario described in Section 3.4.3, it is conservatively assumed that implementation of the proposed project could create dwelling units for up to 840 residents over the next 20 years. As of 2020, the population of the City of Bishop was 3,821 persons and the population of Inyo County as a whole was 18,584 persons. The addition of 840 residents over 20 years would represent a 22 percent increase in the City's population, but only a 4.5 percent increase in the population of the County as a whole. The 2019 SGMA Basin Prioritization report concluded that the Owens Valley groundwater basin has sufficient groundwater supplies to accommodate an eight percent population growth, and the proposed project would not exceed the rate of population growth that the basin can support (DWR 2020). Additionally, the proposed project is located in the City of Bishop which is currently served by existing water service providers. Therefore, the proposed project would not conflict with or obstruct the implementation of a water quality control plan or sustainable groundwater management plan, and impacts would be less than significant.

Significance without Mitigation: Less than significant impact.

4.10.4 Cumulative Impacts

HYD-6 The proposed project would not contribute to a significant cumulative impact with respect to hydrology and water quality resources.

Cumulative impacts would occur when the proposed project, in combination with other projects in the City of Bishop, would violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality, substantially degrade groundwater supplies or interfere substantially with groundwater recharge, substantially alter the existing drainage pattern of the site in a manner which would cause negative environmental effects, increase the risk release of pollutants in flood hazard, tsunami, or seiche zones, or conflict with or obstruct implementation of a water quality control plan or groundwater management plan. The analysis of cumulative impacts is based on impacts of the proposed project and the other cumulative projects in the City. As shown in Table 4-1 City of Bishop Cumulative Projects List, nine projects are proposed in and around the City of Bishop. Two of the projects included in this list are housing developments within the Bishop city limits, the Silverpeaks Affordable Housing Project and the Kingston Subdivision. The Inyo County Vacant Lands Inventory project proposes zoning and General Plan land use amendments to allow for additional housing development on parcels adjacent to the City of Bishop. The Bishop Paiute Tribe Hotel project proposes to add a hotel to the existing casino in Bishop. Other cumulative projects include the City of Bishop 2021 Housing Element Update, the expansion of commercial airline service at Bishop Airport, located to the east of the City, and several small public works projects such as sewer trunk and bridge replacement.

While construction of the cumulative development projects would have the potential to increase pollutants associated with the development and degrade water quality, the projects would be required to comply with water quality standards as administered through the NPDES permit. Additionally, the cumulative development projects total approximately 505 acres combined and are located over the Owens Valley groundwater basins which is a low priority groundwater basins (DWR 2020). The addition of impervious surfaces from the cumulative projects would not adversely affect groundwater supplies or recharge. Additionally, all cumulative projects would be required to include post-construction

stormwater management features, such as LID measures, to maintain flows to pre-project conditions and would be subject to the requirements of the federal, State, and local municipal codes, plans, and policies described in Section 4.10.1, Environmental Setting, and related to protecting water resources. Therefore, the proposed project, in combination with the cumulative projects, would not contribute to a significant cumulative hydrology and water quality impact.

Significance without Mitigation: Less than significant impact.

4.10.5 References

California Department of Water Resources (DWR). 2021. Dam Inundation Map Viewer. Accessed August 30, 2021 and available at: https://fmds.water.ca.gov/webgis/?appid=dam_prototype_v2.

2020. Sustainable Groundwater Management Act 2019 Basin Prioritization Process and Results. May. Accessed August 30, 2021 at https://water.ca.gov/Programs/Groundwater-Management/Basin-Prioritization.

City of Bishop. 1993. General Plan – Conservation/Open Space Element. Accessed October 25, 2021 and available at: https://www.cityofbishop.com/Document%20Center/Department/Planning/General%20Plan/Conservation.pdf.

Federal Emergency Management Agency (FEMA). 2021. FEMA Map Service Center, Current FEMA Issued Flood Maps: City of Bishop, California, no. 06027C0332E. Accessed on August 30, 2021, from: https://msc.fema.gov/portal/search?AddressQuery=Bishop%2C%20CA#searchresultsanchor.

Regional Water Quality Control Board– Lahontan Region (RWQCB). 1995. Water Quality Control Plan for the Lahontan Region, North and South Basins (Basin Plan). As amended through April 2014.

4.11 Land Use and Planning

This section describes the regulatory framework and existing conditions related to land use and planning for the proposed project parcels, evaluates the potential impacts that could occur as a result of implementation of the proposed project, and details mitigation measures needed to reduce significant impacts, as necessary.

4.11.1 Environmental Setting

4.11.1.1 Regulatory Framework

Federal Regulations

There are no federal regulations related to land use and planning that apply to the project.

State Regulations

All cities and counties are required by the State to adopt a general plan establishing goals and policies for long-term development, protection from environmental hazards, and conservation of identified natural resources (California Government Code 65300). California Government Code Section 65302 lists seven elements or chapters that cities and counties must include in their general plans: land use, circulation, housing, conservation, open space, noise, and safety.

Of the mandatory general plan elements, the land use element typically has the broadest scope. This central element describes the desired distribution, location, and extent of the jurisdiction's land uses, which may include housing, business, industry, and open space, including agriculture, natural resources, and recreation. Enjoyment of scenic beauty, education, public buildings and grounds, and solid and liquid waste disposal facilities are also typically addressed in the land use element.

Local Regulations

General Plan

The City of Bishop General Plan was adopted in November 1993 and establishes the land use distribution pattern (e.g., residential, commercial, agricultural, open space) and the maximum intensity and density of future development within the City limits. As of October 2021, the Housing Element of the General Plan was in the process of being updated to address the housing needs of the City for the 2019-2027 period.

The 2019-2027 Housing Element includes the following goals, policies, and actions relevant to the proposed project (City of Bishop 2021):

- **Goal 1 Create New Housing**: Provide and maintain an adequate supply of sites for the development of new affordable housing. Increase the housing supply and the mix of housing types, with the goal of improving housing affordability and equity.
    - **Action 1.2 Showcase Mixed Use Potential**: Hold showcase events to demonstrate a staged housing unit above the commercial uses at the Cottonwood Plaza. Explore

opportunities for residential use at other large underutilized commercial sites, potentially the old Kmart site.

- **Action 1.3 Housing Diversity**: Encourage and incentivize construction of modular units, prefabricated units, co-living units and other innovative housing designs that are adapted to limited lot sizes and offer reduced housing costs.

- **Action 1.4 Residential Conversions**: Continue to support the conversion of vacant commercial property into residential uses in the mixed-use overlay zone and larger DTSP planning area.

- **Goal 2 Housing Equity and Balance**: Promote infill development, socioeconomic equity, environmental protection and efficient development patterns allocate housing supply in proportion to housing need in each given category.

  - **Action 2.1 Finalize and Select DTSP Alternative**: Expand and strengthen opportunities for mixed use development and housing types by completing the Final DTSP, selecting a preferred alternative, and incentivizing higher density, affordable DTSP construction projects. Modify the DTSP to allow accessory dwelling units (ADU) and Junior ADUs as a permitted use, with incentives, and in coordination with the public outreach efforts outlined in Goal 5, Action 5.3.

  - **Action 2.2 Zoning Code Amendment**: Following DTSP approval and selection of the preferred alternative, amend the Municipal Code to reflect the new MU-Z designation, and the standards associated with the approved intensity alternative.

- **Goal 3 Foster Housing Equity and Balance**: Improve intraregional relationship between jobs and housing and increase housing availability and affordability for all income levels.

  - **Action 3.2 Housing Inventory**: Continue to maintain an inventory of trailer parks, mobile home parks and apartments provide housing for disadvantaged populations, and monitor this housing stock to ensure that it remains affordable for low income and disadvantaged residents.

- **Goal 4 Constraints and Incentives**: Remove constraints and create new incentives for the construction of additional housing to meet the needs of all Bishop residents.

  - **Action 4.2 Incentivize ADUs**: The City will continue to encourage Bishop homeowners to construct ADUs by right, as a way to increase availability of affordable housing. The City will continue to offer ADU incentives including reduced parking requirements, and will seek funding to support the creation of at least one free ADU floor plan and set of construction plans, with the goal of having the plans available at no cost (or at a low cost) to Bishop residents no later than December 2024.

The Economic Development Element of the City of Bishop's General Plan contains the following goals and policies related to land use and planning (City of Bishop 2015):

- **Goal 1:** Create a vibrant, authentic and pedestrian-friendly downtown that is a destination for residents and tourists.

  - **Policy 1.1:** Work with appropriate agencies and investigate options to calm traffic and better the pedestrian and bicycle environment on the downtown portion of 395.
  - **Policy 1.2:** Explore methods to incentivize downtown property owners to invest in façade improvements to make downtown more attractive to visitors and residents.
  - **Policy 1.3:** Initiate contact with owners of vacant and underutilized properties to encourage more productive uses that support the vision of a vibrant downtown.
  - **Policy 1.5:** Update the Municipal Code to strengthen the downtown overlay zone to allow for increased density (height); mixed-use buildings (e.g., retail first floor, housing above); and to reflect updated planning goals as established through the General Plan.
  - **Policy 1.6:** Collaborate with local partners to design and implement programs to enliven downtown (e.g., longer business hours, improved lighting, special events and festivals) and draw tourists and residents downtown.
  - **Policy 1.7:** Promote infill redevelopment of vacant or underutilized commercial sites through the reform of municipal zoning, parking requirements and public incentives.
  - **Policy 1.8:** In conjunction with Caltrans, revisit options for a truck route that will remove truck traffic from downtown while ensuring private motorist traffic remains.
- **Goal 2:** Promote Bishop and the Eastern Sierra Region as a world-class, year-round tourist destination.
  - **Policy 2.4:** Continue to invest in city infrastructure to support Bishop's commercial development and transition from a tourism support community to a tourism destination.
  - **Policy 2.5:** Create opportunities to encourage the development of diverse retail and food options (e.g., pop-up stores, open air markets).
- **Goal 4:** Strengthen the community's role as a regional center for retail, education, and healthcare.
  - **Policy 4.5:** Support existing local retail businesses and recruit appropriate businesses to diversify Bishop's retail base and retain spending that is otherwise leaking from the community.
  - **Policy 4.6:** Support development of modern housing products to attract a diverse and educated workforce.

The Land Use Element of the City of Bishop's General Plan contains the following goals and policies related to land use and planning (City of Bishop 1993):

- Residential Goals
  - To maintain the quality and livability of residential areas within the City.
  - To preserve single family areas through the encouragement of upkeep and investments to maintain residential values.
  - To permit higher density residential development only when compatible with the surrounding area.
  - To encourage the balance and diversity of housing types to more closely reflect the needs of various income groups in the City of Bishop.
  - To encourage the development of higher density development within walking or bicycling distance to the City's business and commercial areas.
  - To provide adequate housing opportunities for low- and moderate-income households as required by the state of California.

- Residential Policies
    - As a high priority for residential development, the City will encourage in-fill and redevelopment of existing private land into residential densities specified on the land use map.
    - Adequate buffering should be incorporated in order to protect residential areas from other non-residential incompatible land uses.
    - Adequate private open space should be provided in all residential neighborhoods and developments.
    - Adequate access should be provided to all neighborhoods and developments and should correspond to the intensity of residential development. Access should accommodate non-motorized transportation modes in addition to motorized vehicles.
    - High-capacity streets which could carry high speed, high volume through traffic should be discouraged from passing through residential neighborhoods. In those cases where such street is necessary, the street and adjoining residential development should be designed to mitigate the adverse effects on residential neighborhoods.
    - Expansion areas should be developed in phases consistent with community needs, available service capacities, and appropriate access.
    - The City should provide a diversity of housing types varying in size, density, and location.
    - The City will relate residential densities to intensity/compatibility of adjacent areas.
- Commercial Goals
    - To provide sites and facilities to accommodate a variety of economic activities, including retail sales, lodging, and commercial recreational uses.
    - To concentrate commercial development in existing and committed areas so as to prevent the intrusion of commercial activity into existing residential areas.
    - To promote improvements in community commercial areas of the City to increase their attractiveness to consumers, both local and tourist.
- Commercial Policies
    - Additional land for residential uses displaced by new and expanding commercial activities must be provided as needed according to the requirements and policies contained in the Housing Element.
    - Design Guidelines for all new commercial development must be prepared that will focus on creating a positive visual impact to the City. Design review should take place, emphasizing building arrangement, facades, signage, and landscaping.
    - Adequate access, parking and loading areas should be provided for all commercial development and should be considered in all new development.
    - Commercial development should provide adequate buffering in order to protect residential areas from excessive noise and intrusion, incorporating acceptable landscaping and physical barriers.
    - The City will regulate visibility, employment, advertising, parking, and traffic movement for businesses allowed adjacent to residential areas in order to maintain the integrity of the residential character.

4.11.1.2 Existing Conditions

Existing Land Uses

The City of Bishop encompasses approximately two square miles in the northern portion of Inyo County. It is located to the east of the Sierra Nevada mountain range and is bisected by US Highway 395, which

provides a major source of tourist and recreation traffic for Bishop. Bishop is the principal urban community and only incorporated city in Inyo County and is generally considered the major urban center of eastern California (City of Bishop 1993).

Bishop has 3,821 residents within the city limits. The City's population represents approximately 20 percent of Inyo County's total population. Bishop is Inyo County's principal employment center, accounting for over 50 percent of primary wage earner employment within the County. Bishop is also the regional retail and commercial service center, accounting for over 50 percent of total county retail sales. Most of the county and regional wholesale and distributing businesses are located within the City or in the immediate area (City of Bishop 1993).

The project area consists of 302.4 acres within the City of Bishop and includes all land that would be included as part of the Downtown Bishop Specific Plan area and/or the Mixed-Use Overlay zone. Land use in the project area is regulated by the City of Bishop General Plan and Zoning Ordinance. See below for the land use designations and zoning in the project area according to the City's General Plan and Zoning Ordinance.

Residential land uses account for approximately 40 percent of the City's land area and are primarily located away from the busy US Highway 395 corridor. As a result of existing land use constraints, including the fact that the majority of vacant land in the city is controlled by the LADWP whose slow growth policies limit the ability for new growth and development, there are not many areas for development to expand beyond its existing areas. Commercial land uses account for an additional 30 percent of the land within the city limits, mainly concentrated around US Highway 395, US Highway 6, and Line Street. The relatively high proportion of commercial land use within the City reflects Bishop's role as the economic hub of Inyo County, providing retail services to county residents as well as tourists (City of Bishop 1993). The Industrial and Manufacturing land use category comprises approximately 65 acres within the city limits, concentrated mainly in the northeast corner of the City. Other land use categories within the city include parks and recreation and public services uses.

General Plan Land Use Designations

The existing General Plan land use designations in the Specific Plan Area consist primarily of commercial land uses located along Main Street and Line Street with smaller blocks of residential uses on the edge of the Specific Plan boundary. As depicted on **Figure 4.11-1**, the following existing General Plan land use designations fall within the Specific Plan area:

- **General Commercial:** Commercial activities in this broad category include those establishments offering a wide range of convenience consumer goods and a wide variety of personal services. Uses in this category depend upon a continuing relationship with a clientele on a day-to-day basis for the sale of retail goods and services. Uses in this category need to reinforce one another by being grouped together with other uses oriented to the same clientele, avoiding non-active retail uses, vacant areas, and other "dead" locations. Examples include those retail service uses located in the downtown central business district, shopping centers, and other mutually supporting centers. In addition, this land use designation is intended to encompass commercial activities dependent upon a transient, automobile-oriented clientele. As a result, the uses within this designation tend to locate along the heavily traveled US Highway 395, West Line Street, and US Highway 6 frontages on large parcels.

- **Parks and Open Space:** This land use category identifies the active and passive recreational facilities in the City of Bishop. Existing City parks are included in this category, as well as the riparian corridors which LADWP utilizes for drainage maintenance that meander through Bishop. These areas are intended for the preservation of the natural environment as well as the inclusion of usable parkland for recreational purposes.

- **Heavy Commercial:** This land use category includes commercial activities which usually are conducted without direct contact with the consumer. These uses more often serve other commercial outlets rather than retail consumers. Uses in this category include building contractors' yards, machine shops, auto body repair, petroleum products, open storage uses, distributors, and warehousing. These commercial service activities are often nuisance producing and such areas typically assume the characteristics of light industrial uses. Commercial service activities often require large amounts of space and thus large parcels, generally exceeding one half acre. Due to their nuisance producing character, physical segregation and substantial buffering is desirable. These commercial service activities are most compatible with highway commercial uses, often of a similar character. Access is an important consideration due to the reliance on truck service.

- **High Density Residential (22.1 to 35.0 DU/AC):** Structures in this category are limited to multi-story apartments or apartment type buildings. Housing provided by this type of development is oriented toward single individuals, retired persons, and those whose lifestyles are not directed toward the use and maintenance of private open space. Densities in this category range from 21.1 to 35.0 dwelling units per acre, although lot sizes of 20,000 square feet or greater provide the practical lower limit of land ownership necessary for proper development. Gross site area per dwelling unit in this category fall into the 1,250 to 2,000 square foot range. The intensified character, reduced private open space, traffic, and height of such development make the location of these areas as important as the availability of water and sewer services.

- **Medium High Density Residential (10.0 to 22.0 DU/AC):** Structures in this category of residential land use include single family townhouses, patio homes, duplexes, triplexes, garden apartments, and mobile home parks. Housing provided by this category is oriented towards young couples, single individuals, and retired persons rather than families. Although as housing costs have risen, families, especially those with lower incomes, have tended to make greater use of these forms of housing. Densities range from 10.0 to 22.0 dwelling units per acre. In considering density in this land use category, it is necessary to think in terms of site area per dwelling rather than lot size. Although the actual density is design-dependent, gross site area per dwelling unit ranges between 2,000 and 3,500 square feet. The intensified character, reduced private open space, and increased traffic make the location of these areas and the design of such developments as important as the availability of sewer and water service.

- **Medium Density Residential (5.1 to 9.9 DU/AC):** Medium density residential areas are typical of single-family development in and adjacent to more urbanized portions of a community. Development within this density range span single family residential units on individual parcels to smaller, specialized development such as mobile home subdivisions and patio homes. Densities in this category range from 5.1 to 9.9 dwelling units per acre on lots ranging from 4,400 to 8,000 square feet. Private open space on each parcel provides privacy and outdoor living space. The provision of water, sewer, and adequate access are important locational considerations.

Zoning

The existing zoning in the Specific Plan Area consists primarily of commercial zoning located along Main Street and Line Street with smaller blocks of residential on the edge of the Specific Plan boundary. As depicted on **Figure 4.11-2**, the following existing zoning districts fall within the Specific Plan area:

- **General Commercial and Retail District (C-1):** The C-1 district is intended to serve as the retail trading and business area of the city. Permitted uses include grocery stores, barber shops, clothing, and other retail stores.

- **General Commercial District (C-2):** The C-2 district provides areas that will permit a more complete range of commercial activities as well as light manufacturing and wholesale facilities. Permitted uses include trade schools, auction houses, and other general commercial purposes.

- **Single-family Residential District (R-1):** The R-1 single-family residential district is intended to provide for the development of single-family dwellings, not more than one such dwelling on each lot, and for such accessory uses as are related, incidental and not detrimental to the residential environment. Home occupation is limited under this code and there is no employment of help in such occupations other than the members of the resident family, although Bed & Breakfast Inns are allowed with limitations.

- **Medium High Density Residential District (R-2000):** The R-2000 medium high density residential district is intended to provide for the development of multiple-family residential structures in the form of multi-story apartment houses, apartment units, and other rental units as are required to serve the residents in a medium-high density area. The maximum height is two stories and there shall be a minimum of 2,000 square feet of land area for each dwelling unit.

- **Medium High Density Residential District and/or Professional and Administrative Offices (R-2000-P):** The R-2000-P district is intended to provide for development of multiple-family residential structures and other rental units as are required to serve the needs of residents in a medium high-density district and/or for professional and administrative offices. The maximum height is two stories and there shall be a minimum of 2,000 square feet of land for each dwelling unit.

- **Multiple Residential District (R-3):** The R-3 multiple residential district is intended to provide for the development of multiple-family residential structures in the form of multi-story apartment houses, apartment courts, and such other rental units as are required to serve the needs of residents in a high-density area. There shall be a minimum of 1,250 square feet of land area for each dwelling unit.

- **Multiple Residential District and/or Professional and Administrative Offices (R-3-P):** The R-3-P district is intended to provide for the development of multiple-family residential structures in the form of multi-story apartment houses, apartment courts, and other rental units as are required to serve the needs of residents in high density areas and/or professional and administrative offices. The maximum height is two stories and there shall be a minimum of 1,250 square feet of land area for each dwelling unit.

4.11.2 Significance Thresholds

According to Appendix G of the CEQA Guidelines, the following criteria may be considered in establishing the significance of land use and planning impacts:

1. Physically divide an established community; or

2. 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.

4.11.3 Impact Analysis

LUP-1 The proposed project would not physically divide an established community.

The proposed project consists of the implementation of a Downtown Bishop Specific Plan and Mixed-Use Overlay zone which would establish a framework to guide the future growth of downtown Bishop. The Specific Plan area and Mixed-Use Overlay zone are located in downtown Bishop, an area which is already developed with commercial and residential uses. The proposed project would not physically divide an established community, but rather guide the growth of an existing community. No physical division between established communities would occur, as the proposed project would keep the existing street network in Bishop and even improve walkability and alternative means of transportation within the downtown area to improve connectivity. Therefore, the proposed project would not physically divide an established community and there would be no impact.

Significance without Mitigation: No impact.

LUP-2 The proposed project would not conflict with a land use plan, policy, or regulation which would result in a significant land use and planning impact.

As described above in Section 4.11.1.2, the site of the proposed project includes areas currently zoned and designated in the General Plan for commercial, retail, residential, and/or professional and administrative offices. Approval of the proposed project would require adoption of the Specific Plan and Mixed-Use Overlay zone, which would require amendments to the City's General Plan and Zoning Code. The approval of the Downtown Bishop Specific Plan and Mixed-Use Overlay Zone would provide guidelines and standards for future development within their boundaries.

The Housing Element of the General Plan contains a number of goals, policies, and actions related to the development of housing within the City. The Housing Element envisions the implementation of the Downtown Bishop Specific Plan and Mixed-Use Overlay zone as one of the ways that the goals of the element would be achieved. The proposed project is consistent with and directly supports many of the goals put forth in the housing element, including Goal 1 Create New Housing, Goal 2 Housing Equity and Balance, Goal 3 Foster Housing Equity and Balance, and Goal 4 Constraints and Incentives. The proposed project is also consistent with many of the actions in the housing element, including Action 1.3 Housing Diversity, Action 2.1 Finalize and Select DTSP Alternative, Action 2.2 Zoning Code Amendment, and Action 4.1 Incentivize ADUs.

The proposed project is also consistent with and directly supports many of the goals and policies in the Economic Development element of the General Plan. The proposed project includes improvements that would create a more pedestrian-friendly downtown area, which directly supports Goal 1 and many of the policies associated with this goal. Policy 1.5 specifically states that the City should update the Municipal Code to strengthen the downtown overlay zone to allow for increased density and mixed-use buildings, which would be directly achieved through implementation of the proposed project. The rooftop and outdoor dining allowances of the Specific Plan and Mixed-Use Overlay zone would directly support Policy 2.5, which aims to create opportunities for diverse retail and food options. The proposed project would also help implement Policy 4.6 of supporting development of modern housing products to attract a diverse and educated workforce.

The proposed project also supports a number of the goals and policies established in the Land Use element of the General Plan. The proposed project would be consistent with the residential goals to encourage the development of higher density development within walking or bicycling distance from the City's businesses and commercial areas and to permit higher density residential development only when compatible with the surrounding area. The proposed project would also be consistent with the commercial goals and policies of the element, which include to promote improvements in community commercial areas of the City to increase their attractiveness to consumers, implement design guidelines for new commercial development which focus on creating positive visual impact to the City, and to regulate visibility, advertising, parking, and traffic movement for businesses adjacent to residential areas to maintain the integrity of the residential character.

Many of the features of the Downtown Bishop Specific Plan and Mixed-Use Overlay zone are not only consistent with but also directly support the goals and policies of the General Plan. City approval of the proposed project would adopt the Downtown Bishop Specific Plan and Mixed-Use Overlay zone. Implementation of the proposed project would not conflict with an applicable land use plan that was adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

4.11.4 Cumulative Impacts

LUP-3 The proposed project would not result in a significant cumulative impact with respect to land use and planning.

Cumulative impacts would occur when the proposed project, in combination with other projects in the City of Bishop, would directly or indirectly physically divide an established community or 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. The analysis of cumulative impacts is based on impacts of the proposed project and the other cumulative projects in the City. As discussed above, the proposed project would have no impact associated with the physical division of an established community. As shown in **Table 4-1**, nine projects are proposed in and around the City of Bishop. Two of the projects included in this list are housing developments within the Bishop city limits, the Silverpeaks Affordable Housing Project and the Kingston Subdivision. The Inyo County Vacant Lands Inventory project proposes zoning and General Plan land use amendments to allow for additional housing development on parcels adjacent to the City of Bishop. The Bishop Paiute Tribe Hotel project proposes to add a hotel to the existing casino in Bishop. Other cumulative projects include the City of

Bishop 2021 Housing Element Update, expansion of commercial airline service at Bishop Airport, located to the east of the City, and several small public works projects including sewer trunk and bridge replacement. None of the cumulative projects considered in this analysis would physically divide an established community in or adjacent to the City of Bishop.

Implementation of the proposed project would not conflict with an applicable land use plan, policy, or regulation that was adopted for the purpose of avoiding or mitigating an environmental effect. Each cumulative project would be subject to the appropriate land use consistency regulations and restrictions of the land use agency controlling the land. The land entitlement and CEQA/NEPA processes that are conducted for each cumulative project would ensure that each project is consistent with applicable land use plans and policies. Therefore, no cumulatively considerable impact associated with land use plans and/or policies would occur with approval of the proposed project.

Significance without Mitigation: Less than significant impact.

4.11.5 References

City of Bishop. 2021. Draft General Plan Housing Element 2020-2027.

2015. General Plan – 2015 Economic Development Element Update. Accessed October 25, 2021 and available at: https://www.cityofbishop.com/Document%20Center/Department/Planning/Economic%20Development/2015_Draft_Economic_Development_Element_Update.pdf.

1993. General Plan – Land Use Element. Accessed October 25, 2021 and available at: https://www.cityofbishop.com/Document%20Center/Department/Planning/General%20Plan/LandUsepacket.pdf.

4.12 Mineral Resources

This section describes the regulatory framework and existing conditions related to mineral resources, evaluates the potential impacts that could occur as a result of implementation of the proposed project, and details mitigation measures needed to reduce significant impacts, as necessary.

4.12.1 Environmental Setting

4.12.1.1 Regulatory Framework

Federal Regulations

Portions of Inyo County are under federal management (including areas with split-estate surface/mineral resource ownership) and are therefore associated federal regulations are applicable to these areas. Specifically, federal regulations on mineral resources are applicable to areas under the jurisdiction of the US Bureau of Land Management (BLM) and US Forest Services (USFS). Most areas under military and National Park Service jurisdiction are closed to mineral entry and operation, with the exception of "grandfathered" or split-estate sites. Federal mining regulations include broad-based legislation such as the General Mining Act of 1872 (as amended, 42nd U.S. Congress, Sess. 2, Ch. 152, 17 Stat. 91-96), and the Federal Land Policy and Management Act of 1976 (as amended, Public Law 94-579). These Acts provide guidance for procuring rights to the following three basic classes of minerals on public lands: (1) locatable minerals, such as gold, silver and other "hard rock" mineral types; (2) leasable minerals, such as oil & gas and geothermal resources; and (3) salable minerals, such as aggregate and volcanic materials.

The noted Acts, as well as related BLM and USFS guidelines and policies, also provide direction on related mineral exploration, production, and processing activities. Specifically, these include applicable federal land use and environmental requirements such as CFR Title 43, Subpart 3809 and NEPA. The noted legislative and regulatory criteria also include guidelines for surface rights related to access, excavation and other land use considerations associated with mineral exploration and development. Under these guidelines, the rights to use associated surface areas to support mineral activities can vary substantially depending on factors such as the location and type of operation and the date of associated mineral entries. For example, certain older (and "grandfathered") mining claims under the 1872 Mining Act encompass exclusive surface rights for mineral activities, while leases for some mineral types (e.g., oil and gas) may preclude surface entry entirely, and require alternative recovery methods (e.g., directional drilling) in applicable locations such as sensitive habitats or cultural resource areas.

State Regulations

California Surface Mining and Reclamation Act of 1975

The principal legislation addressing mineral resources in California is the Surface Mining and Reclamation Act of 1975 (SMARA) (PRC Sections 2710-2719), which was enacted in response to land use conflicts between urban growth and essential mineral production. The stated purpose of SMARA is to provide a comprehensive surface mining and reclamation policy that will encourage the production and conservation of mineral resources while ensuring that adverse environmental effects of mining are prevented or minimized; to ensure that mined lands are reclaimed and residual hazards to public health and safety are eliminated; and to give consideration to recreation, watershed, wildlife, aesthetic, and

other related values. SMARA governs the use and conservation of a wide variety of mineral resources, although some resources and activities are exempt from its provisions, including excavation and grading conducted for farming, construction, or recovery from flooding or other natural disaster.

SMARA provides for the evaluation of an area's mineral resources using a system of Mineral Resource Zone (MRZ) classifications that reflect the known or inferred presence and significance of a given mineral resource. The MRZ classifications are based on available geologic information including geologic mapping and other information on surface exposures, drilling records, and mine data, as well as socioeconomic factors such as market conditions and urban development patterns. The MRZ classifications are defined as follows:

- MRZ 1 – areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
- MRZ 2 – areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists.
- MRZ 3 – areas containing mineral deposits, the significance of which cannot be evaluated from available data.
- MRZ 4 – areas where available information is inadequate for assignment into any other MRZ.

Although the State of California is responsible for identifying areas containing mineral resources, the county or city is responsible for SMARA implementation and enforcement by providing annual mining inspection reports and coordinating with the California Geologic Survey (CGS).

Mining activities that disturb more than 1 acre or involve excavation of at least 1,000 cubic yards of material require a SMARA permit from the lead agency, which is the county, city, or board that is responsible for ensuring that adverse environmental effects of mining are prevented or minimized. The lead agency establishes its own local regulations and requires a mining applicant to obtain a surface mining permit, submit a reclamation plan, and provide financial assurances pursuant to SMARA.

Certain land-disturbing activities do not require a permit, such as excavation related to farming, grading related to restoring the site of a natural disaster, and grading related to construction.

Local Regulations

There are no local regulations regarding mineral resources that are relevant to the discussion of the proposed project. The City of Bishop's General Plan and zoning code do not designate any land within the City limits for mineral resource production or extraction.

4.12.1.2 Existing Conditions

Inyo County Mineral Resource Potential

The City of Bishop is located in Inyo County, which is located within the Basin and Range Geomorphic Province which has historically produced substantial amounts of mineral resources such as base and precious metals (e.g., gold, silver, and copper). The County includes extensive occurrences of known and potential mineral resources, along with associated past and current mineral production.

The occurrence of mineral resources was an important factor in the early settlement of Inyo County, and mining operations remain a substantial, albeit declining, local industry within the County. Currently, aggregate resources (e.g., sand, gravel, clay and stone) represent the predominant mining activity in the area, although development of other mineral resources such as base and precious metals, borates, volcanic materials (e.g., pumice, perlite and cinders) and geothermal resources are occurring in various locations (Inyo County 2001). A number of studies on mineral resource occurrences and potential have been conducted for areas within the County, including efforts by the USGS, BLM, CGS, and South Coast Geologic Society.

U.S. Geological Survey Investigations

Numerous investigations regarding mineral resources in Inyo County have been conducted by the USGS (USGS 2021). Specifically, these include extensive evaluation of current and historic mining for: (1) base and precious metals in areas such as the Death Valley region, the White and Inyo Mountains, the Argus Range, and Darwin; (2) borates and soda ash from the Death Valley area and Owens Lake; (3) tungsten minerals along the eastern Sierra Nevada, including deposits near Bishop (Tungsten Hills); (4) volcanic materials from sources including the Coso volcanic field; and, (5) other minerals, such as limestone and talc deposits in the White and Inyo Mountains.

U.S. Bureau of Land Management Investigations

The BLM California Desert Conservation Area Plan (BLM 1980) includes an assessment of "economic mineral resources" on federal lands in much of Inyo County. This analysis identified similar locations of known/potential mineral occurrences as noted above under USGS Investigations, as well as the following areas of mineral resource potential: (1) energy minerals (e.g., uranium and thorium) in locations including Saline Valley, the northern Coso Range and southern White and Inyo Mountains (including near Owens Lake, Olancha and Rose Valley) and Death Valley; (2) base and precious metals east of Tecopa in the southern Nopah Range; (3) volcanic materials in the White and Inyo Mountains; (4) non-metallic minerals (e.g., zeolites) in Death Valley and Tecopa areas; and, (5) geothermal resources in Saline Valley, the Coso volcanic field, northern Searles Valley and the Tecopa area. All areas identified as part of this assessment are located outside Bishop's city limits.

California Geological Survey Investigations

The California Geological Survey (CGS) has conducted numerous analyses of mineral resource occurrences and potential throughout Inyo County, including most of the areas noted above for USGS and BLM studies (CGS 1991), as well as Mineral Resource Zone (MRZ) investigations for the Eureka/Saline Valley area (CGS 1993a) and the southern Death Valley region (CGS 1993b). The establishment of MRZs is based on requirements outlined in the State Surface Mining and Reclamation Act (SMARA), with both of the referenced assessments identifying MRZs with known and potential mineral resource potential. While MRZ designations identifying known/potential mineral resources within the County are limited to the two noted areas, other portions of the County could potentially encompass such resources and qualify for associated MRZ designation. This conclusion is based on the widespread occurrence of mineral resources (such as aggregate) and the presence of geologic environments suitable for mineral occurrences within the County, as well as the fact that known MRZ investigations in the County have not been conducted outside of the two identified areas (CGS 2020).

South Coast Geological Society Investigations

The South Coast Geological Society has published numerous studies regarding mineral resource potential and occurrence in the desert areas of California. Specifically, these include many of the locations described above for other investigations, as well as metamorphic minerals such as asbestos and wollanstonite in the northern Death Valley area (South Coast Geological Society 1980).

Project Area Mineral Resource Potential

The project area consists of the portion of the City of Bishop that would be subject to the Downtown Bishop Specific Plan and Mixed-Use Overlay, an approximately 302.4 acre area within the Bishop city limits. None of the parcels identified as part of the proposed project are located on lands designated by the General Plan for mineral resource production or zoned for mineral resource production. The City of Bishop does not contain any lands designated by the General Plan for mineral resource production or zoned for mineral resource production. As discussed in Section 2.3 General Plan and Zoning Designations, the parcels that make up the proposed project are located on lands currently designated for commercial, parks and open space, or residential use and zoned for commercial, residential, or professional and administrative office use. No mineral extraction activities take place on the parcels that comprise the proposed project or the parcels adjacent to the proposed project.

4.12.2 Significance Thresholds

In accordance with Appendix G of the CEQA Guidelines, the proposed project would have a significant impact associated with geology, soils, mineral resources or paleontological resources if the project would:

1. 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;
2. 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;

4.12.3 Impact Analysis

MIN-1 The proposed project would not 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.

The proposed project involves the implementation of a Specific Plan and Mixed-Use Overlay Zone on a 302.4 acre within the City of Bishop. The City of Bishop does not contain any known mineral resources within the city limits. There are no parcels designated by the General Plan for mineral resource production, zoned for mineral resource production, or actively being used for mineral resource production within the area that would be affected by the Specific Plan and Mixed-Use Overlay zone. Therefore, the changes resulting from the project would not substantially amend any policy or ordinance in a way that would affect the availability of a known mineral resource. There would be no impact.

Significance without Mitigation: No impact.

MIN-2 The proposed project would not 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.

The proposed project involves the implementation of a Specific Plan and Mixed-Use Overlay Zone on a 302.4 acre within the City of Bishop. The City of Bishop does not contain any known mineral resources within the city limits. There are no parcels designated by the General Plan for mineral resource production, zoned for mineral resource production, or actively being used for mineral resource production within the area that would be affected by the Specific Plan and Mixed-Use Overlay zone. No changes included in the proposed project would affect a parcel where mineral resource extraction is permitted. Therefore, the proposed project would not affect any plan-identified mineral resource recovery site. There would be no impact.

Significance without Mitigation: No impact.

4.12.4 Cumulative Impacts

MIN-3 The proposed project would not result in a significant cumulative impact with respect to mineral resources.

Cumulative impacts would occur when the proposed project, in combination with other projects in the City of Bishop, would result in the loss of a known mineral resource or a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. The geographic context for the analysis of cumulative impacts to mineral resources is the extent of the City, and immediately adjacent areas to the extent of the resource. As discussed above, the proposed project would not result in the loss of a known mineral resource or locally important mineral resource. Since the proposed project would not impact any known mineral resources it would not contribute to a cumulatively considerable impact on mineral resources.

Significance without Mitigation: No impact.

4.12.5 References

Bureau of Land Management (BLM). 1980. The California Desert Conservation Area Plan. Accessed October 25, 2021 and available at: https://eplanning.blm.gov/public_projects/lup/66949/82080/96344/CDCA_Plan.pdf.

California Geological Survey (CGS). 2020. Publications of the SMARA Mineral Land Classification Project Dealing with Mineral Resources in California. Accessed October 25, 2021 and available at: https://www.conservation.ca.gov/cgs/Documents/Publications/SMARA-Publications-California-SECURED.pdf.

1993a. Mineral Land Classification of the Eureka-Saline Valley Area, Inyo and Mono Counties, California. Special Report 166.

1993b. Mineral Land Classification of the Ash Meadows, Big Dune, Eagle Mountain, Funeral Peak, Ryan, Pahrump, and Stewart Valley 15-Minute Quadrangles and High Peak 7.5-Minute Quadrangle, Inyo County, California. Special Report 167.

1991. Mines and Mineral Prospects of the California Desert. Open-File Report 91-18.

Inyo County. 2001. Goals and Policies Report for the Inyo County General Plan. Accessed October 25, 2021 and available at: https://www.inyocounty.us/sites/default/files/2020-02/GP%20Goals%20and%20Policy%20Report%2012.2001.pdf.

South Coast Geological Society. 1980. Geology and Mineral Wealth of the California Desert. Dibblee Volume, Donald L. Fife and Arthur R. Brown, Editors. Published in conjunction with the October 11-12, 1980 SCGS Field Trip.

US Geological Survey (USGS). 2021. Mineral Resources Online Spatial Data. Accessed October 25, 2021 and available at: https://mrdata.usgs.gov/general/map-us.html.

4.13 Noise

This section describes the regulatory framework and existing conditions related to noise sources and the overall noise environment in the vicinity of the proposed project, evaluates the potential impacts that could occur as a result of implementation of the proposed project, and details mitigation measures needed to reduce significant impacts, as necessary.

4.13.1 Environmental Setting

4.13.1.1 Noise and Sound Level Descriptors and Terminology

All noise level or sound level values presented herein are expressed in terms of decibels (dB), with A-weighting (dBA) to approximate the hearing sensitivity of humans.

The amplitude of pressure waves generated by a sound source determines the loudness of that source. Sound pressure amplitude is measured in micro-Pascals (mPa). One mPa is approximately one hundred billionth (0.00000000001) of normal atmospheric pressure. Sound pressure amplitudes for different kinds of noise environments can range from less than 100 to 100,000,000 mPa. Because of this wide range of values, sound is rarely expressed in terms of mPa. Instead, a logarithmic scale is used to describe sound pressure level (SPL) in terms of dBA. The threshold of hearing for the human ear is about 0 dBA, which corresponds to 20 mPa.

Because decibels are logarithmic units, SPL cannot be added or subtracted through standard arithmetic. Under the decibel scale, a doubling of sound energy corresponds to a 3 dBA increase. In other words, when two identical sources are each producing sound of the same loudness, the resulting sound level at a given distance would be 3 dBA higher than from one source under the same conditions. For example, if one automobile produces an SPL of 70 dB when it passes an observer, two cars passing simultaneously would not produce 140 dBA—rather, they would combine to produce 73 dBA. Under the decibel scale, three sources of equal loudness together produce a sound level 5 dBA louder than one source.

Under controlled conditions in an acoustical laboratory, the trained, healthy human ear is able to discern 1-dBA changes in sound levels, when exposed to steady, single-frequency (“pure-tone”) signals in the mid-frequency (1,000 Hz–8,000 Hz) range. In typical noisy environments, changes in noise of 1 to 2 dBA are generally not perceptible. It is widely accepted, however, that people begin to detect sound level increases of 3 dBA in typical noisy environments. Further, a 5 dBA increase is generally perceived as a distinctly noticeable increase, and a 10 dBA increase is generally perceived as a doubling of loudness.

Time-averaged noise levels are expressed by the symbol L_{EQ}, followed a specified duration. Noise levels expressed as L_{EQ} without a specified duration are time-averaged for one hour. Maximum noise levels are expressed by the symbol L_{MAX}. The Day Night sound level (L_{DN}) is a 24-hour average with an added 10 dBA weighting during the hours from 10:00 p.m. to 7:00 a.m. The Community Noise Equivalent Level (CNEL) is a 24-hour average similar to L_{DN}, where noise levels during the evening hours of 7:00 p.m. to 10:00 p.m. have an added 5 dBA weighting, and noise levels during the nighttime hours of 10:00 p.m. to 7:00 a.m. have an added 10 dBA weighting. These metrics are used to express noise levels for both measurement and municipal regulations, as well as for land use guidelines and enforcement of noise ordinances.

4.13.1.2 Groundborne Vibration Terminology and Metrics

Groundborne vibration consists of rapidly fluctuating motions or waves transmitted through the ground with an average motion of zero. Sources of groundborne vibrations include natural phenomena and anthropogenic causes (e.g., explosions, machinery, traffic, trains, construction equipment). Vibration sources may be continuous (e.g., factory machinery) or transient (e.g., explosions). Several different methods are typically used to quantify vibration amplitude. One is the peak particle velocity (PPV) and another is vibration velocity decibels (VdB). The PPV is defined as the maximum instantaneous positive or negative peak of the vibration wave and is the metric used in this analysis.

4.13.1.3 Regulatory Framework

The Specific Plan and Mixed-Use Overlay Zone is located in the City of Bishop. Regulatory requirements related to environmental noise are typically promulgated at the local level, however, federal and State agencies also provide standards and guidelines to local jurisdictions. Noise standards for the City of Bishop, along with the CEQA Guidelines, were considered in the noise assessment.

Federal Regulations

U.S. Environmental Protection Agency Recommendations

The USEPA provides guidance in Information on Levels of Environmental Noise Requisite to Protect Health and Welfare with an Adequate Margin of Safety (NTIS 550\9-74-004, EPA, Washington, D.C., March 1974), which is commonly referenced as the "Levels Document." The Levels Document establishes an L_{DN} of 55 dBA as the requisite noise level, with an adequate margin of safety for areas of outdoor uses, including residential and recreational areas. This document does not rely upon USEPA regulations or standards, but it identifies safe levels of environmental noise exposure without consideration of costs for achieving these levels or other potentially relevant considerations. The Levels Document is intended to "provide State and local governments as well as the Federal government and the private sector with an informational point of departure for the purpose of decision-making." The agency is careful to stress that the recommendations contain a factor of safety and do not consider technical or economic feasibility issues and therefore should not be construed as standards or regulations.

Federal Transit Administration

The Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment Manual contains guidelines and recommendations for predicting and assessing the vibration impacts of proposed transit projects, including predicting and assessing the ground-borne vibrations from commonly used construction equipment. The manual contains guidelines for determining thresholds for damage to structures from construction equipment vibrations based on the age and/or construction type of the structures near construction activity (FTA 2018).

State Regulations

California Noise Control Act

The California Noise Control Act is a section within the California Health and Safety Code that describes excessive noise as a serious hazard to the public health and welfare and that exposure to certain levels

of noise can result in physiological, psychological, and economic damage. It also finds that there is a continuous and increasing bombardment of noise in the urban, suburban, and rural areas. The California Noise Control Act declares that the State of California has a responsibility to protect the health and welfare of its citizens by the control, prevention, and abatement of noise. It is the policy of the State to provide an environment for all Californians free from noise that jeopardizes their health or welfare.

Local Regulations

City of Bishop General Plan

The Noise Element of the City of Bishop's General Plan contains the following goals and policies related to noise (City of Bishop 1993):

- Goals
    - To provide information concerning the community noise environment in order to make noise a consideration in the on-going planning process and related ordinances.
    - To abate and control excessive noise.
    - To avoid a mix of incompatible noise generating and noise sensitive land uses.
    - To protect areas of the community which have "acceptable" or "sensitive" noise environments.
    - To provide indoor noise environments that allow undisturbed conversation, sleep, study, work, relaxation, and privacy.
- Policies
    - Maintain coordination and cooperation between agencies with noise control responsibilities.
    - Encourage the enforcement of noise standards for motor vehicles by governmental agencies, including the Highway Patrol and the Bishop Police Department.
    - Maintain streets in the City to an acceptable condition to minimize delays and congestion.
    - Require emergency response agencies to monitor and regulate the use of emergency sirens within the City of Bishop.
    - Promote site planning that incorporates adequate architectural design to minimize potential noise impacts.
    - Promote the utilization of noise insulation materials in new construction for all dwellings.
    - Discourage incompatible land uses where the noise level exceeds, or has the potential to exceed, acceptable noise levels unless mitigation measures are implemented.

- Encourage the location of new noise generating development and activities in areas where the impact is reduced.
- The noise impact of intermittent activities, including those at the Fairgrounds, City Park, and new construction sites, should be considered and appropriate time limits of operation should be established.
- Industrial and heavy commercial areas shall be developed to limit noise exposure to less than 60 dB to surrounding residential or other sensitive land uses.
- Performance standards shall be developed and incorporated into the zoning ordinance to limit noise emissions from light industrial uses to less than 60 dB.
- The CEQA environmental review process, including potential mitigation measures, shall be utilized to identify and mitigate the potentially significant noise impacts generated by automobiles, industry, and airport operations.

City of Bishop Noise Control Ordinance

Chapter 8.12 Noise Control of the City of Bishop Code of Ordinances regulates sources of noise which may disturb the health, peace, or safety of city residents. This chapter restricts any loud, unnecessary, or unusual noise generated within City limits. However, it does not in any way affect, restrict, or prohibit any of the activities incidental to construction conducted after the hour of 7:00 a.m. or before the hour of 10:00 p.m. any day of the week.

4.13.1.4 Existing Conditions

Noise sources can be grouped into two categories: mobile and stationary. In the City, mobile noise sources include automobiles, trucks, railroads, buses, motorcycles, airplanes, and other moving vehicles. Primary stationary noise sources within the City include power equipment, industrial plants, and other activities such as rock concerts, auto racing, and group recreational activities. Within the City, there are three noise sources of particular concern: streets and highways, the Bishop Airport, and noise emitted in conjunction with non-residential land uses (City of Bishop 1993).

Noise and Vibration Sensitive Land Uses

Noise-sensitive land uses (NSLU) are land uses that may be subject to stress and/or interference from excessive noise, including residences, hospitals, schools, hotels, resorts, libraries, sensitive wildlife habitat, or similar facilities where quiet is an important attribute of the environment. Noise receptors are individual locations that may be affected by noise. Existing sensitive receptors within the Plan area include single-family and multi-family residences, hospitals, schools, a library, and hotels.

4.13.2 Significance Thresholds

The impact analysis provided below is based on the application of the following CEQA Guidelines Appendix G thresholds of significance, which indicate that a project would have a significant noise impact if it would result in:

1. 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;

2. Generation of excessive groundborne vibration or groundborne noise levels;

3. 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.

4.13.3 Impact Analysis

NOI-1 The proposed project would not result in a temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the City General Plan.

Construction Noise

Implementation of the proposed project would result in a temporary or periodic increase in ambient noise levels related to construction equipment, activities, and vehicles. Noise impacts from construction activities occurring within the Specific Plan area and Mixed-Use Overlay Zone would be dependent on the type, location, and duration of the noise-generating construction activities, and the distance to noise sensitive land uses. As discussed above, existing noise sensitive land uses including single-family and multi-family residences, hospitals, schools, a library, and hotels.

Construction noise from the development related to the Specific Plan and Mixed-Use Overlay Zone would be temporary and short term as construction occurs intermittently and varies depending on the nature or phase of construction (e.g., site preparation, grading, installation of underground utilities, installation of foundations, building construction). Heavy-duty trucks used for deliveries, material and/or equipment hauling, and construction worker trips would temporarily result in noise increases along delivery routes. However, noise impacts associated with worker vehicles and delivery trucks would be short-term and would only occur during daytime hours.

The City does not provide noise limits for construction noise; however, the City's Noise Ordinance requires that construction noise be limited to the hours of 7:00 a.m. to 10:00 p.m. any day of the week. Construction would take place only during designated hours and thus would comply with the City Noise Ordinance, and any noise impacts related to construction would be short-term and limited in duration. Therefore, impacts from construction noise would be less than significant.

Operation Noise

Following construction, the residential, commercial, and mixed-use developments that would be constructed from implementation of the proposed project would not introduce significant noise-generating uses that are anticipated to generate noise levels. Therefore, long-term operation noise impacts to ambient noise levels would be less than significant.

Significance without Mitigation: Less than significant impact.

NOI-2 The proposed project may result in the generation of excessive groundborne vibration levels.

Development occurring as a result of the proposed project may generate vibration in the immediate vicinity of the Specific Plan Area and Mixed-Use Overlay Zone when heavy equipment or impact tools are used during construction. Construction activities would result in vibration from the use of heavy construction equipment, but it is not anticipated that project construction would require blasting or pile drivers. The largest potential source of vibration during project construction would be a vibratory roller primarily used to achieve soil compaction as part of the foundation and paving construction. A large vibratory roller could create approximately 0.210 in/sec PPV at a distance of 25 feet (FTA 2018). A vibratory roller producing a 0.210 in/sec PPV vibration level could result in vibrations as high as 0.10 in/sec PPV at a distance of 50 feet and as high as 0.58 in/sec PPV at a distance of 10 feet.[1] The FTA's building damage threshold for groundborne vibration is 0.2 in/sec PPV for non-engineered timber and masonry buildings. If project construction activities would occur within 20 feet of an occupied structure, then the building damage threshold of 0.2 in/sec PPV may be exceeded, resulting in a potentially significant impact.

Mitigation Measure NOI-2 would require vibratory rollers to be used in static mode only (no vibrations) when operating within 20 feet of any occupied structure. With implementation of Mitigation Measure NOI-2, project construction activities would not result in excessive groundborne vibration or groundborne noise levels that would damage structures near the Specific Plan Area and Mixed-Use Overlay Zone or result in vibration-related annoyance to building occupants, and impacts would be reduced to a less than significant level.

Operational (Long-Term) Groundborne Vibration

Following construction, the residential, commercial, and mixed-use developments that would be constructed from implementation of the proposed project would not create a significant source of ground-borne vibration that would affect land uses beyond the project parcels. Therefore, long-term, operational vibration impacts would be less than significant.

Significance without Mitigation: Potentially significant.

Mitigation Measure NOI-1: Construction Vibration Limits.

The City shall ensure that, during project construction activities, all vibratory rollers are used in static mode only (no vibrations) when operating within 20 feet of any occupied structure. If construction

[1] Equipment PPV = Reference PPV * $(25/D)^n$ (in/sec), where Reference PPV is PPV at 25 feet, D is distance from equipment to the receiver in feet, and n = 1.1 (the value related to the attenuation rate through the ground); formula from FTA 2018.

activity is to be performed by contractors, the City shall specify the vibratory roller use limitations on contract documents.

Significance with Mitigation: Less than significant impact.

NOI-3 The proposed project would not expose people residing or working in the project area to excessive noise levels from public use airports or private airstrips.

Airports in the vicinity of the proposed project include the Eastern Sierra Regional Airport located approximately 2 miles east of the City of Bishop. Noise levels up to 65 Cumulative Noise Equivalent Level (CNEL) for the Eastern Sierra Regional Airport are contained within the boundary of the airport, except for the end of runway 12/30 (southeast to northwest), where it encroaches into the Runway Protection Zone (City of Bishop 1993). The proposed project is not located within 0.25 mile of an airport. Therefore, development of the project parcels would not expose people residing or working in the project area to excessive noise levels from airport operations, and the impact would be less than significant.

Significance without Mitigation: Less than significant.

4.13.4 Cumulative Impacts

NOI-4 The proposed project would not contribute to a cumulatively considerable impact on ambient noise levels in the City.

The analysis of potential cumulative noise impacts attributable to construction and stationary sources considers the proposed project along with other cumulative projects in the City area due to the localized nature of noise impacts. As discussed above, the proposed project would result in less than significant impacts to noise. As shown in **Table 4-1**, nine projects are proposed in and around the City of Bishop. Two of the projects included in this list are housing developments within the Bishop city limits, the Silverpeaks Affordable Housing Project and the Kingston Subdivision. The Inyo County Vacant Lands Inventory project proposes zoning and General Plan land use amendments to allow for additional housing development on parcels adjacent to the City of Bishop. The Bishop Paiute Tribe Hotel project proposes to add a hotel to the existing casino in Bishop. Other cumulative projects include the City of Bishop 2021 Housing Element Update, expansion of commercial airline service at Bishop Airport, located to the east of the City, and several small public works projects including sewer trunk and bridge replacement.

With compliance of City noise requirements that limit the hours for noise-producing activities such as construction, combined construction and operation noise from the proposed project and other cumulative projects would not result in a substantial increase in ambient noise levels in the County. Therefore, the proposed project would not in cumulatively considerable noise impact, and impacts would be less than significant with implementation of Mitigation Measure NOI-1.

Significance without Mitigation: Less than significant impact.

4.13.5 References

City of Bishop. 1993. General Plan for the City of Bishop. Chapter Six – Noise. Available at: https://www.cityofbishop.com/Document%20Center/Department/Planning/General%20Plan/Noise.pdf.

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4.14 POPULATION AND HOUSING

This section describes the regulatory framework and existing conditions related to population and housing, evaluates the potential impacts that could occur as a result of implementation of the proposed project, and details mitigation measures needed to reduce significant impacts, as necessary.

4.14.1 ENVIRONMENTAL SETTING

4.14.1.1 REGULATORY FRAMEWORK

Federal Regulations

There are no relevant federal regulations for population and housing.

State Regulations

California Planning Law – General Plan Housing Element

California Government Code Section 65302 requires the City of Bishop to adopt a housing element as part of its General Plan. The housing element identifies future housing needs for all income levels and provides strategies for meeting those needs. The California Department of Housing and Community Development (HCD) assigns the City a set of projected housing numbers, by income level, as part of the regional housing needs allocation (RHNA) process. Under state law, the City must adopt a land use plan and regulatory system to provide sufficient opportunities for housing development to meet its share of the allocated housing need. The HCD reviews each housing element for adequacy in meeting requirements of state law. An adopted housing element that has been approved by HCD is presumed to meet the requirements of state law for the term of the element.

Pursuant to state law, the housing element must be updated every eight years, based on the regional housing needs for the next 8 year cycle. The housing numbers reflected in the housing element are projections, not mandatory requirements for housing construction. Actual construction will depend on market conditions, regulatory requirements, and other factors.

California Government Code Section 65584

The state requires regional housing plans to be developed by local jurisdictions based on countywide housing projections developed by the HCD. The HCD RHNA requirements are relevant to the project and are discussed below.

Every eight years, HCD assigns the City a set of projected housing numbers for persons at a variety of income levels. Any additional housing constructed in the City of Bishop will count toward meeting the County's RHNA requirements. **Table 4.14-1** shows the City of Bishop's RHNA housing allocations for the current 2018-2029 planning period, which includes an overall goal for new construction of 118 housing units.

Table 4.14-1
REGIONAL HOUSING NEEDS (2019-2029)

Income Category	Percent	Housing Units Needed
Very-Low	20%	24
Low	17%	20
Moderate	18%	21
Above-Moderate	45%	53
Total	**100.0%**	**118**

Source: City of Bishop 2021.

Local Regulations

General Plan Housing Element

The City of Bishop General Plan was adopted in November 1993 and establishes the land use distribution pattern (e.g., residential, commercial, agricultural, open space) and the maximum intensity and density of future development within the City limits. The Housing Element of the General Plan was updated to address the housing needs of the City for the 2021-2029 period. The 2021-2029 Housing Element was adopted on August 23, 2021 and anticipates the addition of 118 housing units to meet the City's RHNA need through 2029, which would bring the total number of housing units in the City to 2,056 by 2029 (City of Bishop 2021).

The 2019-2027 Housing Element includes the following goals, policies, and actions relevant to the proposed project:

- **Goal 1 Create New Housing**: Provide and maintain an adequate supply of sites for the development of new affordable housing. Increase the housing supply and the mix of housing types, with the goal of improving housing affordability and equity.
    - **Action 1.2 Showcase Mixed Use Potential**: Hold showcase events to demonstrate a staged housing unit above the commercial uses at the Cottonwood Plaza. Explore opportunities for residential use at other large underutilized commercial sites, potentially the old Kmart site.
    - **Action 1.3 Housing Diversity**: Encourage and incentivize construction of modular units, prefabricated units, co-living units and other innovative housing designs that are adapted to limited lot sizes and offer reduced housing costs.
    - **Action 1.4 Residential Conversions**: Continue to support the conversion of vacant commercial property into residential uses in the mixed-use overlay zone and larger DTSP planning area.
- **Goal 2 Housing Equity and Balance**: Promote infill development, socioeconomic equity, environmental protection and efficient development patterns allocate housing supply in proportion to housing need in each given category.
    - **Action 2.1 Finalize and Select DTSP Alternative**: Expand and strengthen opportunities for mixed use development and housing types by completing the Final DTSP, selecting a

preferred alternative, and incentivizing higher density, affordable DTSP construction projects. Modify the DTSP to allow Accessory Dwelling Units (ADUs) and Junior ADUs as a permitted use, with incentives, and in coordination with the public outreach efforts outlined in Goal 5, Action 5.3.

- **Action 2.2 Zoning Code Amendment**: Following DTSP approval and selection of the preferred alternative, amend the Municipal Code to reflect the new MU-Z designation, and the standards associated with the approved intensity alternative.

- **Goal 3 Foster Housing Equity and Balance**: Improve intraregional relationship between jobs and housing and increase housing availability and affordability for all income levels.
  - **Action 3.2 Housing Inventory**: Continue to maintain an inventory of trailer parks, mobile home parks and apartments provide housing for disadvantaged populations and monitor this housing stock to ensure that it remains affordable for low income and disadvantaged residents.

- **Goal 4 Constraints and Incentives**: Remove constraints and create new incentives for the construction of additional housing to meet the needs of all Bishop residents.
  - **Action 4.2 Incentivize ADUs**: The City will continue to encourage Bishop homeowners to construct ADUs by right, as a way to increase availability of affordable housing. The City will continue to offer ADU incentives including reduced parking requirements, and will seek funding to support the creation of at least one free ADU floor plan and set of construction plans, with the goal of having the plans available at no cost (or at a low cost) to Bishop residents no later than December 2024.

General Plan Land Use Element

The General Plan identifies the type, intensity, and density of allowable development on a parcel-by-parcel basis throughout the city. The following goals and policies from the Land Use Element of the General Plan are relevant to this resource section (City of Bishop 1993):

- The City will provide a means for the expansion of public facilities and services to meet the requirements of those land uses presented on the Land Use Map.
- Residential Goals:
  - To maintain the quality and livability of residential areas within the City.
  - To permit higher density residential development only when compatible with the surrounding area.
  - To encourage the balance and diversity of housing types to more closely reflect the needs of various income groups in the City of Bishop.
  - To encourage the development of higher density development within walking or bicycling distance to the City's business and commercial areas.

  - To provide adequate housing opportunities for low- and moderate-income households as required by the state of California.

- Residential Policies:

  - As a high priority for residential development, the City will encourage in-fill and redevelopment of existing private land into residential densities specified on the land use map.

  - Adequate buffering should be incorporated in order to protect residential areas from other non-residential incompatible land uses.

  - Adequate access should be provided to all neighborhoods and developments and should correspond to the intensity of residential development. Access should accommodate non-motorized transportation modes in addition to motorized vehicles.

  - Expansion areas should be developed in phases consistent with community needs, available service capacities, and appropriate access.

  - The City will relate residential densities to the intensity/compatibility of adjacent uses.

- Commercial Goals:

  - To provide sites and facilities to accommodate a variety of economic activities, including retail sales, lodging, and commercial recreational uses.

  - To retain and enhance Bishop's role as the major commercial center serving the needs of Inyo County and the regional recreational economy.

  - To promote improvements in community commercial areas of the City to increase their attractiveness to consumers, both local and tourist.

- Commercial Polices:

  - The City of Bishop will explore the possibility in preparing a downtown revitalization plan in conjunction with the Bishop Transportation Improvement Study, which is being sponsored by the Local Transportation Commission of Inyo County. The development and implementation of a Redevelopment Plan for Bishop's downtown area may be an ideal method for this process.

  - Additional land for residential uses displaced by new and expanding commercial activities must be provided as needed according to the requirements and policies contained in the Housing Element.

  - Design Guidelines for all new commercial development must be prepared that will focus on creating a positive visual impact to the City. Design review should take place, emphasizing building arrangement, facades, signage, and landscaping.

- Adequate access, parking and lodging areas should be provided for all commercial development and should be considered in all new development.

- Commercial development should provide adequate buffering in order to protect residential areas from excessive noise and intrusion, incorporating acceptable landscaping and physical barriers.

- Single family residential development will generally be considered incompatible with commercial development and should be discouraged in those areas. Multiple family residential and mixed use developments are acceptable in commercial areas when developed in accord with the medium-high and/or high density residential standards contained in the Zoning Standards.

- The City will regulate visibility, employment, advertising, parking, and traffic movement for businesses allowed adjacent to residential areas in order to maintain the integrity of the residential character.

- Additional policies and programs:

  - The City supports legislation aimed at providing adequate housing for all economic segments of the community.

  - The City will continue to work with Inyo Mono Advocates for Community Action (IMACA), Mammoth Housing, and Inyo County to improve the supply and quality of the regional housing stock.

  - The City supports construction of subsidized housing, rehabilitation and rental assistance for very low, low and moderate incomes, and special needs households.

  - The City encourages modular, prefabricated and other innovative housing designs that reduce housing costs.

  - The City encourages maintenance of all residential uses, even if new or non-conforming, and upgrades to new, existing, and proposed residential units.

  - The City supports efforts of IMACA and Mammoth Housing to provide housing in Bishop and throughout Inyo County.

  - The City supports granting a density bonus to developers of projects agreeing to comply with requirements of Government Code Section 65915 as modified by SB 1818.

  - In compliance with SB 1960, the City shall consider a mobile home constructed to the 1974 HUD standards and affixed to a permanent foundation to be a single-family dwelling for the purposes of zoning and land use regulations. The definition of a single-family dwelling has been revised to include such mobile homes. Design criteria permitted under the law relating to appearances may be applied.

  - The City shall comply with AB 1866 and all other relevant state and local laws and ordinances. In reviewing housing projects designed to meet the elderly, disabled and

other special needs groups, the City will consider lifestyle issues particularly as it relates to the density limits established in the Land Use Element.

- The City encourages in-fill and redevelopment of existing private land for residential use consistent with the land use map.
- The City assists developers to construct affordable housing within the city limits.
- The City will consider increasing the range of residential uses permitted in the mixed use overlay zone.

Zoning Ordinance

While the policies and goals of the General Plan guide the City's land use decision making, the Zoning Ordinance consists of regulations that are enforced by the City. By law, cities must adopt a zoning ordinance that is consistent with the adopted General Plan.

The Zoning Ordinance establishes specific zoning classifications (e.g., Single-Family Residential, Commercial) that, when applied to a specific property, describe the range of allowable land uses and basic standards for development (e.g., maximum building height, building setbacks from property lines, required parking spaces) of that property. Each zoning classification has a different set of allowable land uses and development standards. The zoning maps adopted as part of the ordinance identify the zoning classification that applies to each parcel within the area under the City's jurisdiction.

Similar to the General Plan, while a zoning designation describes the type and intensity of development that may be allowed it does not vest a property owner's right to develop at the maximum intensity allowed. The size and shape of the property, the availability of public infrastructure and utilities, development fees, owner preferences, and other factors determine how a property is developed within the rules set forth in the City's Zoning Ordinance.

4.14.1.2 EXISTING CONDITIONS

Population

The City of Bishop comprises about 20 percent of the total population of Inyo County, a percentage which has remained relatively stable over the past few decades. As of 2020, the City of Bishop had a population of approximately 3,821 people. With a total acreage of approximately 1,222, the City has a population of approximately As shown in **Table 4.14-2**, between 2010 and 2020 the population of the City of Bishop remained relatively flat, decreasing by approximately 0.02 percent.

Table 4.14-2
BISHOP AND INYO COUNTY POPULATION GROWTH TRENDS (2010-2020)

Year	County Population	Unincorporated County Population	City of Bishop Population
2010	18,546	14,667	3,879
2015	18,546	14,719	3,845
2016	18,633	14,791	3,842
2017	18,595	14,760	3,835
2018	18,579	14,759	3,820

Year	County Population	Unincorporated County Population	City of Bishop Population
2019	18,572	14,757	3,815
2020	18,584	14,763	3,821

Sources: City of Bishop 2021.

Housing

The total number of housing units in the City of Bishop has increased by only 12 between 2010 and 2020. While this is only a slight increase, it outpaces population growth over the past decade. The majority of these units were multifamily housing with 2-4 units, which accounted for 10 of the 12 new units built during this period (**Table 4.14-3**).

Table 4.14-3
BISHOP HOUSING UNITS BY TYPE

Date	Total Housing Units	Single Detached Units	Single Attached Units	Multiple (2-4) Units	Multiple (5+) Units	Mobile Homes
2010	1,926	766	83	367	340	370
2019/2020	1,938	767	84	377	340	370

Source: City of Bishop 2021.

Housing development in the City of Bishop faces major constraints, primarily lack of land available for development. Within Inyo County, only two percent of land is privately owned while the rest is owned by governmental or tribal entities. According to the 2014 Housing Element, 95.5 percent of the undeveloped land within City limits is owned by the LADWP and faces significant barriers to development due to its ownership (City of Bishop 2014). Over the years, the City of Bishop has conducted ongoing negotiations with the City of Los Angeles with the goal to acquire parcels for use in building housing projects. For varied reasons, largely due to the land lease and sale requirements embodied in the Los Angeles City Charter, most of the past negotiations have been unsuccessful. The scarcity of available land has been a significant and ongoing constraint to affordable housing construction in the City of Bishop.

The vacancy rate in Bishop is 6.96 percent, while the rate in Inyo County as a whole is 15.3 percent. Half of all vacancies (49.3 percent) in Inyo County are reserved for seasonal or occasional use. Only 10.8 percent of vacant units in the County are available for rent. In the City of Bishop, where the pool of available units is much smaller, 70 percent of vacant units are available for rent but ACS estimates from 2014-2018 suggest a tight squeeze as the number of units rented but unoccupied, for sale, sold but not occupied, or held vacant for seasonal use or migrant workers stood at 0 during this period (**Table 4.14-4**).

Much of the City's housing stock is aging and in need of improvements. The quality of the individual housing units or structures may be defined as sound, deteriorating, or dilapidated depending on its condition. Housing improvements, on the other hand, refer to the nature of the remedial actions necessary to correct defects in the housing condition such as demolition, minor repairs, major repairs, and rehabilitation.

Table 4.14-4
OCCUPANCY STATUS (2021)

Location	Total Housing Units	Occupied Housing Units	Vacant Housing Units	Vacant, For Rent	Rented, Not Occupied	For Sale	Sold, not occupied	Vacant for recreational, occasional, or seasonal use	Vacant, for migrant worker	Vacant, other
City of Bishop	2,080	1,935	145	98	0	0	0	0	0	12
West Bishop CDP	1,164	1,022	142	0	0	0	0	93	4	12
Unincorporated Inyo County	7,460	6,148	1,312	59	6	3	29	626	89	515
Inyo County (total)	9,540	8,083	1,457	157	6	3	29	719	93	539

Source: City of Bishop 2021.

As shown in **Table 4.14-5**, the majority of the housing in the City is several decades old. According to data from the Housing Element, 62 percent of Bishop's housing stock is 50 or more years old. Only 3 percent of the current housing stock was built within the last 20 years. As Bishop's housing stock ages, new concerns about condition and necessary repairs arise.

Table 4.14-5
AGE OF BISHOP HOUSING STOCK

Year Built	Number of Units	Percentage of Total Units
2014 or later	0	0%
2010 to 2013	0	0%
2000 to 2009	64	3.0%
1990 to 1999	149	7.2%
1980 to 1989	279	13.4%
1970 to 1979	291	13.9%
1960 to 1969	204	9.8%
1950 to 1959	504	24.2%
1940 to 1949	336	16.2%
1939 or earlier	253	12.3%
Total	2080	100%

Source: City of Bishop 2021.

The population of the City of Bishop has held fairly steady over the past 40 years. Between January 1970 and January 2008, the City's population increased by 52 persons. The housing stock had a net positive change of 444 dwelling units (from 1,450 units to 1,926) between 1970 and 2008, but has since remained fairly stable with a current housing inventory total of 1,938 units. **Table 4.14-6** summarizes population and housing stock changes from 1970 to 2020. These data indicate that housing formation has generally been on par with population growth over the 40-year period.

Table 4.14-6
BISHOP POPULATION AND HOUSING TRENDS (1970-2020)

Year	Population	Numeric Change	Housing Inventory	Numeric Change
1970	3,499	--	1,450	--
1980	3,333	-165	1,712	+262
1990	3,475	+142	1,779	+67
2000	3,575	+100	1,867	+98
2008	3,551	-24	1,894	+27
2013	3,877	+326	1,926	+32
2020	3,821	-56	1,938	+12

Source: City of Bishop 2021.

Employment

According to the 2007-2011 ACS data, during this time period 1,955 of Bishop's residents were employed. However, data from the 2014-208 ACS indicates that only 1,518 of the City's residents were employed during this time period. This represents a 22.4 percent drop in employment within the City between these two surveys. During this same time period, employment in Inyo County as a whole dropped 7.4 percent (**Table 4.14-7**).

This relatively brief span of time has also seen a seemingly dramatic change in the city's primary industries. In the previous survey, only 1.5 percent of the county's residents (0.8 percent in Bishop and 1.7 percent in Unincorporated Inyo County) worked in Agriculture, Forestry, Fishing and Hunting, and Mining. In the current survey, 5 percent of the county works in this industry – including 8 percent of Bishop – an apparent increase for the city of 800 percent. Other notable changes in Bishop include a dramatic increase in the workers employed in construction (from 7 percent to 14 percent), a doubling of the workers employed in manufacturing (from 1.5 percent to 3 percent), in transportation, warehousing, and utilities (from 4.1 percent to 9 percent), in the dominant educational services, health care, and social assistance industry (from 23.1 percent to 39 percent), and the complete eradication of several industries, including wholesale (from 1.6 percent to 0 percent), information, and professional, scientific, management administrative, and waste.

A balanced community would generally have a ratio of about 1.1 jobs per household. As of 2018, there were a total of 1,935 occupied housing units in Bishop and 1,518 employed individuals, indicating a jobs/household ratio of 0.785 jobs per household. The lower jobs/household ratio may be associated with increased work commuting, longer commuting distances, and lowered efficiency in use of public infrastructure and services.

Table 4.14-7
EMPLOYMENT BY SECTOR AND INDUSTRY

	Bishop		Unincorporated Area		Inyo County	
Industry	**Labor Force Estimate**	**Percent of Total Labor Force**	**Labor Force Estimate**	**Percent of Total Labor Force**	**Labor Force Estimate**	**Percent of Total Labor Force**
Civilian employed population, 16 years and older	1,518	100%	6,572	100%	8,090	100%
Agriculture, forestry, fishing and hunting, and mining	121	8%	285	4%	406	5%
Construction	206	14%	547	8%	753	9%
Manufacturing	48	3%	161	2%	209	3%
Wholesale trade	0	0%	75	1%	75	1%
Retail trade	253	17%	675	10%	928	11%
Transportation and warehousing, and utilities	131	9%	490	7%	621	8%
Information	0	0%	110	2%	110	1%
Finance and insurance, real estate, and rental and leasing	0	0%	256	4%	256	3%
Professional, scientific, management, administrative, and waste management services	0	0%	362	6%	362	4%
Educational services, and healthcare and social assistance	586	39%	1,483	23%	2,069	26%
Arts, entertainment, recreation, and accommodation and food services	134	9%	1,096	17%	1,230	15%
Other services, except public administration	0	0%	411	6%	411	5%
Public administration	39	3%	621	9%	660	8%

Source: City of Bishop 2021.

4.14.2 SIGNIFICANCE THRESHOLDS

In accordance with Appendix G of the CEQA Guidelines, the proposed project would have a significant impact to population and housing if the project would:

1. Induce substantial unplanned 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; or,

2. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

4.14.3 IMPACT ANALYSIS

POP-1 The proposed project would not induce substantial unplanned population growth in an area, either directly or indirectly.

The proposed project would implement a Downtown Bishop Specific Plan and a Mixed-Use Overlay Zone that provides guidance on future development in the downtown core of the City of Bishop. As described in Section 3.4.3, Development Scenarios, it is conservatively assumed that under the high development scenario, a total of 373 new dwelling units could be added to the project area over the next 20 years. Based on the City of Bishop's average household size of 2.25 persons per household, implementation of the high development scenario could result in a potential increase in population of approximately 840 people. While this would represent a 22% increase from the City of Bishop's current population and would be a substantial growth in population directly facilitated by the proposed project, it would not be unplanned growth. As discussed in Impact LUP-2 in Section 4.11, Land Use and Planning, the General Plan 2019-2027 Housing Element envisions the implementation of the Downtown Bishop Specific Plan and Mixed-Use Overlay zone as one of the ways that the goals of the housing element would be achieved. The proposed project directly supports many of the goals put forth in the housing element, including Goal 1 - Create New Housing, Goal 2 - Housing Equity and Balance, Goal 3 - Foster Housing Equity and Balance, and Goal 4 - Constraints and Incentives. The proposed project is also consistent with many of the actions in the housing element, including Action 1.3 - Housing Diversity, Action 2.1 - Finalize and Select DTSP Alternative, Action 2.2 - Zoning Code Amendment, and Action 4.1 - Incentivize ADUs. The proposed project is also consistent with many of the goals and policies presented in the Land Use Element of the General Plan, namely those aimed at increasing residential density and mixed uses in the downtown core of the City.

The dwelling units constructed as a result of the proposed project would also assist the City of Bishop with meeting its RHNA goal of adding 118 units by the year 2027. Furthermore, as shown in Table 4.14-2, over the past 10 years the population of the City of Bishop has remained relatively flat and decreased by approximately 0.02 percent. As shown in Table 4.14-3, the majority of housing units in the City of Bishop are detached single-family homes. The proposed project's creation of a mixed-use overlay zone would allow for the construction of higher-density housing and mixed residential and other uses on appropriate parcels. The proposed project would increase the allowable height of buildings and allowable density of development in downtown Bishop, which is anticipated to allow for increased residential development. The proposed project would not create substantial unplanned population growth because it would support the goals and policies of the General Plan Housing Element and Land Use Element, would help the City meet its RHNA requirements, and provide residences for the existing population of the City of Bishop. Therefore, the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

POP-2 The proposed project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

The proposed project would not displace existing housing or existing residents; no aspects of the proposed project would encourage the removal of housing or allow substantial non-residential uses in existing residential areas. As described in Chapter 3.0, Project Description, the proposed project consists of the adoption of a Downtown Bishop Specific Plan and Mixed-Use Overlay Zone in the downtown core of the City of Bishop. The adoption of the specific plan and mixed-use overlay zone would not remove existing housing or allow substantial non-residential uses in existing residential areas. The existing housing would remain, although the proposed project may allow for the addition of new housing to existing residential buildings or commercial buildings. No existing residents or housing would be displaced by the proposed project and no impact would result.

Significance without Mitigation: No impact.

4.14.4 CUMULATIVE IMPACTS

POP-3 The proposed project would not result in a significant cumulative impact with respect to population and housing.

Cumulative impacts would occur when the proposed project, in combination with other projects in the City of Bishop, would directly or indirectly induce substantial population growth in an area or displace people or housing and necessitate the construction of replacement housing elsewhere. The analysis of cumulative impacts is based on impacts of the proposed project and other cumulative projects in the City. As discussed above, the proposed project would not induce substantial population growth in the City. As shown in **Table 4-1**, nine projects are proposed in and around the City of Bishop. Two of the projects included in this list are housing developments within the Bishop city limits, the Silverpeaks Affordable Housing Project and the Kingston Subdivision. The Inyo County Vacant Lands Inventory project proposes zoning and General Plan land use amendments to allow for additional housing development on parcels adjacent to the City of Bishop. The Bishop Paiute Tribe Hotel project proposes to add a hotel to the existing casino in Bishop. Other cumulative projects include the City of Bishop 2021 Housing Element Update, the expansion of commercial airline service at Bishop Airport, located to the east of the City, and several small public works projects such as sewer trunk and bridge replacement. None of the cumulative projects, in combination with the proposed project, would directly or indirectly induce substantial population growth. As discussed above, the proposed project would not displace existing people or housing or necessitate the construction of housing elsewhere. Therefore, the project would not contribute to a cumulatively considerable impact to the displacement of existing people or housing.

Significance without Mitigation: Less than significant impact.

4.14.5 REFERENCES

City of Bishop. 1993. General Plan – Land Use Element. Accessed October 25, 2021 and available at: https://www.cityofbishop.com/Document%20Center/Department/Planning/General%20Plan/LandUsepacket.pdf.

2021. General Plan Housing Element 2021-2029 Update. Accessed October 25, 2021 and available at:
https://www.cityofbishop.com/departments/planning/housing_element_update.php.

4.15 Public Services

This section describes the regulatory framework and existing conditions related to public services, evaluates the potential impacts that could occur as a result of implementation of the proposed project, and details mitigation measures needed to reduce significant impacts, as necessary.

4.15.1 Environmental Setting

4.15.1.1 Regulatory Framework

Federal Regulations

There are no relevant federal regulations for public services.

State Regulations

California Fire Code

The California Fire Code, also referred to as Title 24 of the California Building Standards Code, exists to establish minimum fire code requirements to ensure good building practices and public safety. It adopts by reference the International Fire Code with necessary State amendments. Updated every three years, the California Fire Code includes provisions and standards for emergency planning and preparedness, fire service features, fire protection systems, hazardous materials, fire flow requirements, and fire hydrant locations and distribution. Typical fire safety requirements include: installation of sprinklers in all high-rise buildings; the establishment of fire resistance standards for fire doors, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildfire hazard areas.

California Public Resources Code

State Responsibility Areas (SRA) are defined by Public Resources Code (PRC) Section 4102 as areas of the State in which the Board of Forestry and Fire Protection has determined that the financial responsibility for preventing and suppressing fires lies with the State of California. SRAs are lands where the California Department of Forestry and Fire Protection (CAL FIRE) has legal and financial responsibility for wildfire protection. SRA lands typically are unincorporated areas of a county, are not federally owned, have wildland vegetation cover, have housing densities lower than three units per acre, and have watershed or range/forage value. In practice, some local government agencies (in this case, local volunteer fire districts), may also provide direct protection of some SRAs in coordination with their local CAL FIRE unit. PRC 4202 directs lands within SRAs to be classified into fire hazard severity zones.

Local Responsibility Areas (LRA) include lands that do not meet criteria for SRAs or federal responsibility areas, or are lands in incorporated areas, cultivated agricultural lands, and nonflammable areas in the unincorporated parts of a county. LRAs can include flammable vegetation and wildland-urban interface areas. LRA fire protection is provided by city or local fire departments, fire protection districts, county fire departments, or by contract with CAL FIRE.

Senate Bill 50

Senate Bill 50 (passed in 1998) sets forth a state school facilities construction program that includes restrictions on a local jurisdiction's ability to condition a project or mitigation of a project's impacts on school facilities in excess of fees set forth in Education Code 17620. The provisions of Senate Bill 50 allow the state to offer funding to school districts to acquire school sites, construct new school facilities, and modernize existing school facilities. Senate Bill 50 also establishes a process for determining the amount of fees developers may be charged to mitigate the impact of development on school facilities resulting from increased enrollment. Under this legislation, a school district could charge fees above the statutory cap only under specified conditions, and then only up to the amount of funds that the district would be eligible to receive from the state. This program has been found by the legislature to constitute "full and complete school facilities mitigation."

Local Regulations

The Land Use Element of the General Plan provides the following goals and policies related to public services (City of Bishop 1993a):

- Goals
    - To insure that those using recreation facilities contribute to the cost of providing and maintaining such facilities.
- Policies
    - The City will provide a means for the expansion of public facilities and services to meet the requirements of those land uses presented on the Land Use Map.
    - Expansion areas should be developed in phases consistent with community needs, available service capacities, and appropriate access.
    - In-lieu fees for the development of new parks facilities will be required for new development per the Subdivision Map Act. Greater use of state and federal funding should be pursued to develop and maintain parks facilities.
    - The City's Capital Improvement Plan shall be evaluated to determine if adequate facilities are provided to current residents. Impacts of new development must be considered regarding the impact on existing public facilities and services.

The Parks and Recreation Element of the General Plan provides the following policies related to public services (City of Bishop 1993b):

- The City shall require the incorporation of parks facilities, or fees in lieu, into the development of the recently annexed portions of the City.
- The City will work closely with the Parks Commission to assure that adequate parks facilities are provided and maintained to the highest possible standards.

The Public Services Element of the General Plan provides the following goal related to public services (City of Bishop 1993c):

- To provide adequate public services to existing and future residents of the City of Bishop.

The Safety Element of the General Plan provides the following goals and policies related to public services (City of Bishop 1993d):

- Goals
    - To insure that quality public safety services are provided and maintained for residents of the City and surrounding area.
    - To assure that a balance is maintained between growth, development, and the provision of essential public services.
- Policies
    - Assure that adequate staffing, training, and education is maintained for public safety organizations, including police, fire, and public works departments.

4.15.1.2 Existing Conditions

Fire Protection

Inyo County is located within the CAL FIRE San Bernardino/Inyo/Mono Unit (BDU). Given that most land in the County is federally owned, only two CAL FIRE BDU stations are located in the County: the CAL FIRE BDU Independence Fire Station, located at 250 East Park Street, Independence, CA, and the CAL FIRE BDU Bishop Fire Station, located at 2784 South Round Valley Road, Bishop, CA.

Bishop's local fire protection district is the Bishop Rural FPD (Inyo County 2001). The FPDs respond to structure fires, wildland fires, medical emergencies, hazardous materials spills, and other emergencies. Local government fire departments are discussed in further detail below.

Fire protection in the City of Bishop is provided by two distinct but interrelated departments: The City of Bishop Fire Department and the Bishop Rural Fire Protection District. The City of Bishop Fire Department provides fire protection service within the City limits, and therefore would provide fire protection services in the project area. The Bishop Rural Fire Protection District serves the unincorporated areas surrounding the City. While the departments are separately funded, the two entities are organized and effectively operate as one fire department, providing mutual aid within the Bishop area. The Bishop Fire Department is staffed by volunteers under one full-time, appointed Fire Chief and one part-time paid Assistant Chief (GP Safety). The Department has a substantial amount of equipment at its disposal, ranging from rapid response mini-pumpers to semi-truck tankers. The Bishop Fire Department also serves the Bishop Paiute Reservation under contract with the Tribe. As a result, the Department's service area includes Bishop, West Bishop, North Bishop, the Bishop Paiute Reservation, Rocking K, Laws, and Wilkerson (City of Bishop 2021). As a cooperation between the Bishop Rural Fire Protection District and the City of Bishop, the Department works under both the District Board and the City Council. The Department operates three stations in and around the City of Bishop.

The City of Bishop Fire Department's station is located at 209 West Line Street. The Bishop Rural Fire Protection District has two stations: one in West Bishop at 2300 West Line Street adjacent to the County maintenance center and one at 2190 North Sierra Highway. In the Safety Element of the 1993 General Plan, the Fire Chief indicates that the Department has emergency vehicles rolling within one minute of an alarm, with a maximum response time of approximately 5-8 minutes for areas in or adjacent to the City of Bishop (City of Bishop 1993d).

Police Protection Services

Police protection services within the City of Bishop are provided by the Bishop Police Department, while the Inyo County Sheriff's Department provides services in the unincorporated areas surrounding the City. According to the Safety Element of the Bishop General Plan, as of 1993 the Bishop Police Department had 14 full time officers on the force with 11 reserve officers available on an as-needed basis. The Police Station is located adjacent to the Fire Department as part of the City's civic center complex. The Police Department responds to approximately 5,000 calls annually. Using the standard of two full-time officers per 1,000 population as recommended by the National Association of Police Chiefs and California Peace Officers Association, the current staffing levels are adequate to meet the needs of Bishop's population (City of Bishop 1993d).

Schools

Bishop Union School District operates 6 schools in the Bishop area. The schools include Bishop Union High School, Palisade Glacier High School, Home Street Middle School, and Bishop Elementary School. Enrollment numbers for the 2020-2021 school year are listed below in Table 4.15-1. As described in the Public Services Element of the City of Bishop General Plan, all schools in Bishop have adequate capacity to serve the population of the City of Bishop. While Bishop Union High School currently serves 629 students, it has the capacity to serve up to 1,000 if needed (City of Bishop 1993c). Secondary education is provided by Cerro Coso Community College, located just west of the City on Birch Street.

Table 4.15-1
SCHOOLS IN BISHOP UNIFIED SCHOOL DISTRICT

School	2020-2021 Enrollment
Bishop Union High School	629
Palisade Glacier High School	29
Home Street Middle School	462
Bishop Elementary School	829
Total:	**1,949**

Source: California Department of Education 2021

Parks

Within its City limits, the City of Bishop operates Bishop City Park, an approximately 44-acre park located in the central area of the city to the east of US Highway 395. Bishop City Park provides recreational areas for sports, swimming, playgrounds, picnicking, and more. The areas surrounding the City also provide ample opportunities for recreation, including campgrounds and areas for dispersed recreation such as

fishing, hiking, and rock climbing. For additional information about the parks and campgrounds operated by Inyo County, please see Section 4.16 Recreation.

Libraries

The Inyo County Free Library operates six branches throughout the county. The Bishop branch of the Inyo County Free Library is located within the Specific Plan area at 210 Academy Avenue. (Inyo County 2021b).

Other Public Facilities

Northern Inyo Hospital is the only hospital located within the City of Bishop. Northern Inyo Hospital is a 25-bed critical access, not-for-profit hospital providing 24-hour emergency care services (Northern Inyo Healthcare District 2021).

4.15.2 Significance Thresholds

In accordance with Appendix G of the CEQA Guidelines, the proposed project would have a significant impact to public services in the project would:

1. Result in substantial adverse physical impacts associated with the provision of new or physically altered government 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, police protection, schools, parks, or other public facilities.

4.15.3 Impact Analysis

PS-1 The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities in order to maintain acceptable service ratios, response times or other performance objectives for any public services including fire protection, police protection, schools, parks, or other public facilities.

The Downtown Bishop Specific Plan and Mixed-Use Overly zone anticipates that some areas of downtown Bishop will be developed or redeveloped as a result of implementation of the proposed project. This development is not anticipated to take place all at once, and instead will likely take place gradually over a period of 20 years. As such, any increase in demand for public services such as fire protection, police protection, schools, parks, or other public facilities would occur gradually over time as development is added to the area.

The Bishop Fire Department currently provides fire protection service for the project area and would continue to serve the project area upon development of the proposed Specific Plan and Mixed-Use Overlay zone. The Specific Plan and Mixed-Use Overlay zone proposes residential, retail, mixed use, and commercial development in the existing downtown core of Bishop. All new development would be required to meet applicable building codes and maintain street widths and turning radii to accommodate fire protection equipment.

The Bishop Police Department currently provides first-response and police protection services to the project area and would continue to serve the project area upon development of the proposed project. Revenue generated by the Specific Plan and Mixed-Use Overlay in the form of parcel and property taxes, sales tax, and assessments could be used to increase the funding for Bishop Police Department's services within the City. The design of the Specific Plan and Mixed-Use Overlay zone are not anticipated to present any physical obstacles for law enforcement officers responding to calls or to require law enforcement officers to travel to remote locations, because development would take place in the existing downtown core of Bishop. Because of this, the Specific Plan and Mixed-Use Overlay zone are not expected to lengthen response times to levels above Bishop Police Department standards. The Specific Plan would not include development of any police department facilities. New or expanded facilities would not be required to serve the project area.

The Specific Plan would contribute to the funding of additional police and fire facilities, services, and equipment necessary to serve the Specific Plan through property taxes, sales tax, and assessments. However, the Specific Plan does not include the development of any police department or fire department facilities and no police department or fire department facilities are expected to be constructed or expanded off-site in association with the Specific Plan. Therefore, the proposed project would not have substantial adverse physical impacts related to the constriction, provision, or need for police or fire department facilities and the impact would be less than significant.

The project area is within the boundaries of the Bishop Unified School District. The Specific Plan and Mixed-Use Overlay zone would facilitate the development of residential units that would directly increase the student population in the area. The proposed project would include development of up to an anticipated 373 residential units, which would likely support additional students in the project area. As noted previously, the Specific Plan and Mixed-Use Overlay zone are anticipated to be redeveloped slowly over a period of 20 years. As such, any increase in the demand for school services would occur gradually over time as additional areas are developed or redeveloped.

As required by state law, the project applicant for individual development projects within the Specific Plan area and Mixed-Use Overly zone would pay the state-mandated school impact fees to BUSD. The California Legislature has declared that the school impact fee is deemed to be full and adequate mitigation under CEQA (California Government Code Section 65996). The Specific Plan would not include development of any school facilities. Payment of the required school impact fee would reduce the proposed project's impacts associated with school facilities to less than significant.

The City of Bishop contains one developed park, Bishop City Park. The 44 acres that comprise Bishop City Park include sports fields, a swimming pool, playgrounds, and more. As described further in section 4.16 Recreation, the City has adequate recreational facilities to support existing and potential future residents. No new parks are proposed by or will be required by the proposed project, and therefore the proposed project would not have substantial adverse physical impacts related to the construction, provision, or need for police or fire department facilities and the impact would be less than significant.

Significance without Mitigation: Less than significant.

4.15.4 Cumulative Impacts

PS-2 The proposed project would not result in a significant cumulative impact with respect to public services.

Cumulative impacts would occur when the proposed project, in combination with other projects in the City of Bishop, would result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities in order to maintain acceptable service ratios, response times, or other performance objectives for any public services including fire protection, police protection, schools, parks, or other public facilities. Potential impacts to public services are evaluated on the level at which that public service is provided, which may be regional or more localized depending on the service. As discussed above, implementation of the proposed project would result in less than significant impacts to public services.

Potential development as a result of the proposed project could result in residential, commercial, or mixed-use development projects being constructed concurrently with, and in proximity to, other land use and development projects in the City of Bishop as shown in Table 4-1, City of Bishop Cumulative Projects List. Each cumulative project would result in a small but incremental impact to public services. All projects in the City of Bishop, including the proposed project and the cumulative projects considered in this analysis, would be subject to the General Plan policies that prevent development in the county from exceeding acceptable service levels described above in Section 4.15.1.1 Regulatory Framework which would ensure through the development review process that adequate public facilities and services are available to serve new development. Therefore, no cumulatively considerable impact associated with public services would occur with approval of the proposed project.

Significance without Mitigation: Less than significant impact.

4.15.5 References

California Department of Education. 2021. 2020-2021 Enrollment by Grade. Accessed October 25, 2021 and available at: https://dq.cde.ca.gov/dataquest/dqcensus/EnrGrdLevels.aspx?cds=14766871431600&agglevel=school&year=2020-21.

City of Bishop. 2021. Fire Department. Accessed on June 9, 2021 from: https://www.cityofbishop.com/departments/fire/.

1993a. General Plan – Land Use Element. Accessed October 25, 2021 and available at: https://www.cityofbishop.com/Document%20Center/Department/Planning/General%20Plan/LandUsepacket.pdf.

1993b. General Plan – Parks and Recreation Element. Accessed October 25, 2021 and available at: https://www.cityofbishop.com/Document%20Center/Department/Planning/General%20Plan/Parks.pdf.

1993c. General Plan – Public Services and Facilities Element. Accessed October 25, 2021 and available at: https://www.cityofbishop.com/Document%20Center/Department/Planning/General%20Plan/PublicServices.pdf.

1993d. General Plan – Safety Element. Accessed October 25, 2021 and available at: https://www.cityofbishop.com/Document%20Center/Department/Planning/General%20Plan/Safety.pdf.

Inyo County. 2021. Inyo County Free Library. Accessed October 25, 2021 and available at: https://www.inyocounty.us/services/inyo-county-free-library.

2001. Goals and Policies Report for the Inyo County General Plan. Accessed on October 25, 2021 and available at: https://www.inyocounty.us/sites/default/files/2020-02/GP%20Goals%20and%20Policy%20Report%2012.2001.pdf.

Northern Inyo Healthcare District. 2021. Bishop Health Services. Accessed October 25, 2021 and available at: https://www.nih.org/services/.

4.16 Recreation

This section describes the regulatory framework and existing conditions related to recreation resources, evaluates the potential impacts that could occur as a result of implementation of the proposed project, and details mitigation measures needed to reduce significant impacts, as necessary.

4.16.1 Environmental Setting

4.16.1.1 Regulatory Framework

Federal Regulations

Omnibus Public Federal Land Management Act

The Omnibus Public Federal Policy and Land Management Act (FLPMA) was passed in 2009 and protects more than two million acres of land as designated wilderness in nine states; designates over 1,000 miles of Wild and Scenic Rivers; and established three national parks, three national conservation areas, four national trails, ten national heritage areas, and a national monument. It also created several water conservation, habitat restoration and land management programs, and gives formal recognition to the 26 million-acre National Landscape Conservation System. Among these protected wilderness lands include approximately 350,000 acres within the Inyo National Forest and BLM land.

Federal Land Policy and Management Act

The FLPMA was enacted in 1976 and governs the way in which public lands administered by the BLM are managed. The FLPMA is the landmark legislation that provides a framework for managing federal land in perpetuity for the benefit of present and future generations. Under the FLMPA, public lands are to be managed "in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values; that, where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals; and that will provide for outdoor recreation and human occupancy and use."

National Trails Systems Act

The National Trails Systems Act (16 USC 1241), enacted in 1968, created a series of national trails "to promote the preservation of, public access to, travel within, and enjoyment and appreciation of the open-air, outdoor areas and historic resources of the nation." This act established three types of trails, including the National Scenic Trails, National Recreation Trails, and connecting-and-side trails. The National Trails System currently consists of 30 National Scenic and Historic Trails and over 1,000 National Recreation Trails, and two connecting-and-side trails, with a total length of more than 50,000 miles. The National Trails provide for recreational activities of hiking, horseback riding, mountain biking, and camping. Trails within Inyo County that are part of the National Trails System include the Pacific Crest National Scenic Trail and Old Spanish National Historic Trail.

Inyo National Forest Land and Resource Management Plan

The Inyo National Forest Land and Resource Management Plan (LRMP) provides direction for management activities in the Inyo National Forest. The LRMP guides where and under what conditions

an activity on national forest lands can occur and includes guidance on the provision of recreational opportunities.

National Park Service Management Policies

The NPS Management Policies provide broad policy guidance for the management of units of the national park system. Topics include park planning, land protection, natural and cultural resource management, wilderness preservation and management, interpretation and education, recreational uses, special uses of the parks, park facilities design, and concessions management.

State Regulations

California State Parks Off-Highway Motor Vehicle Recreation Division

The Off-Highway Motor Vehicle Recreation Program was created in 1971 to manage off-highway recreation, while balancing the need to protect the state's resources. In addition to providing accessibility to off-highway recreation for hikers to bikers to bird watchers, the program provides a variety of services and benefits to California's residents and visitors, including resource management of state lands, wildlife habitat protection, youth development and law enforcement.

California Outdoor Recreation Plan

The California Outdoor Recreation Plan is the statewide master plan for parks, outdoor recreation, and open space for California. The plan provides policy guidance to all outdoor recreation providers, including federal, state, local, and special district agencies that provide outdoor recreational lands, facilities and services throughout California.

Local Regulations

Lower Owens River Recreation Use Plan

The Lower Owens River Recreation Use Plan provides a conceptual framework to protect the area from the unintended consequences of increased use. The plan's purpose is to support LORP goals while creating opportunities for local residents and visitors to experience recreation, learn more about the ecosystem, and become active stewards of the lower Owens River. Fishing, birding, wildlife viewing, hunting, and OHV riding are the most popular recreation activities within the LORP area.

Owens Valley Land Management Plan

The LADWP owns and manages approximately 250,000 acres in Inyo County, mainly within the Owens Valley floor. Approximately 75 percent of LADWP land in Inyo County is open to the public for recreational uses such as fishing, hiking, hunting, nature studies, photography, painting, and other daytime recreational uses. LADWP's Owens Valley Land Management Plan (OVLMP) provides management direction for resources on all city of LADWP lands in the County (excluding the LORP area discussed above). Resource management issues include water supply, habitat, recreation and land use. The OVLMP provides a framework for implementing management prescriptions through time, monitoring the resources, and adaptively managing changed land and water conditions.

General Plan

The following goals and policies contained in the Parks and Recreation Element of the General Plan are relevant to the discussion of recreation in the City of Bishop (City of Bishop 1993):

- Goals
    - To increase outdoor recreational opportunities and recreational use of the area's vast open space resources.
    - To prevent the degradation of the City's and area's recreational resources.
    - To upgrade the existing facilities in Bishop City Park to reflect the current demand for recreational activities.
    - To assure that neighborhood parks are incorporated into the planning of the undeveloped portions of the City.
- Policies
    - The City shall require the incorporation of parks facilities, or fees in lieu, into the development of the recently annexed portions of the City.
    - The City shall require the incorporation of bikeways and recreational trails into new developments to correspond to the facilities identified in the Circulation Element.
    - The City will work closely with the Parks Commission to assure that adequate parks facilities are provided and maintained to the highest possible standards.
    - The City shall encourage the continuation and enhancement of the role of the Chamber of Commerce, whose primary purpose is to coordinate and market visitor programs that exist within the City and the surrounding area.
    - The City shall cooperate with Inyo County, State, and Federal agencies to assure that regional parks and recreational facilities are provided and maintained in the Bishop area.
    - The City shall prioritize the development of the Community Center which will provide a variety of functions for both residents and visitors of Bishop.

4.16.1.2 Existing Conditions

City Recreational Facilities

The City of Bishop and its surrounding areas provide ample recreational opportunities to the residents of Bishop. Recreation, tourism, and leisure activities are an important part of life for most people and serving the recreational needs of residents and visitors is a significant industry in the area. The main park within the Bishop city limits is Bishop City Park, an approximately 44 acre park located in the central area of the city to the east of US Highway 395. Other recreational areas available to residents but

located outside of the city limits include the Bishop Motorcycle Park, Bishop Gun Range, Bishop Model Airplane Field, Bishop Golf Course, Bishop Equestrian Area, Laws Railroad Museum, Millpond Recreation Area, and the Owens River Recreational Area. The Owens River Recreational Area comprises approximately 10,000 acres of lands leased from LADWP on either side of the Owens River and offers hunting, fishing, and recreational opportunities related to the Owens River.

Bishop City Park is an approximately 44 acre park located to the east of North Main Street (Highway 395). The Subdivision Map Act and Quimby Act set parkland dedication requirements at 3 acres per 1,000 residents. Based on the City's 2020 population of 3,821, the City of Bishop currently provides approximately 11.5 acres of parkland per 1,000 residents. The City owns approximately 1.3 park acres and leases approximately 43 acres from the City of Los Angeles Department of Water and Power. Bishop City Park provides recreational areas for baseball and softball, soccer, swimming, tennis, picnicking, and more. Recreational equipment in the park includes two playground areas, an 8-lane competition/community pool with a children's wading pool and water slide, eight tennis courts, four athletic fields, and picnic areas. Bishop City Park also includes a gazebo, picnic areas, and a bandstand.

The City of Bishop prepared a Parks and Recreation Master Plan in 2008 as part of a comprehensive planning process to determine ways recreational and leisure services can be efficiently and effectively delivered to the citizens of Bishop and Inyo County. It is a plan of action for the next several years that addresses management, parks, facilities, and programming.

Additional Recreational Facilities

The County contains vast areas of undeveloped open space areas rich in natural resources and features that provide a variety of outdoor recreational opportunities. Most of the land within the County is publicly owned. Public agencies provide and manage various outdoor recreational facilities and resources that are heavily frequented by visitors and residents alike.

The Inyo County Parks and Recreation Department operates 11 lower elevation campgrounds readily accessible from US Highway 395 within the County, including Diaz Lake, Portuguese Joe, Independence Creek, Taboose Creek, Tinnemaha Creek, Millpond, Baker Creek, Pleasant Valley, Glacier View, Brown's Town, and Tecopa Park and Campground. All of these campgrounds are located in proximity to surface water features and offer fishing (Inyo County 2021).

Most of the 3 million acre Death Valley National Park is located within the eastern portion of Inyo County. Death Valley is a major tourist destination and provides a multitude of recreational facilities, including campgrounds, hiking and mountain biking trails, historic sites, museums, and back country roads.

Dispersed recreational activities are those that are not limited to a specific location such as campgrounds or parks. Such outdoor activities can occur in larger use areas on a regional level as well as a local level. Given the amount of open space and wilderness areas within the County, there are an abundance of natural resources that support dispersed recreational activities. Types of dispersed recreational activities that are available in certain geographic areas of the County include the following:

- Fishing
- Hunting
- Hiking and backpacking

- Off-highway vehicle (OHV) riding
- Rock climbing
- Horseback riding
- Mountain biking
- Boating
- Hang gliding
- Rockhounding (i.e., recreational mining)
- Wildlife and nature viewing
- Birding
- Wilderness camping
- Scenic Driving

Fishing is common at many of the numerous lakes, ponds, streams, and rivers within the County. Boating is also provided at many of the lakes. Hunting is dispersed throughout the County and is popular for big game, and birds including waterfowl. Hiking and backpacking primarily occurs within wilderness areas and forest land with trailheads that lead to a large network of trails within the many mountain ranges and valleys. OHV riding and all-terrain vehicle (ATV) use is a popular activity that occurs in designated OHV areas, as well as within certain areas of the Inyo National Forest and BLM lands.

Popular locations for rock climbing include Mount Williamson, Mount Brewer, Charlotte Dome, Mount Clarence King, North Guard, Central Peak, Mount Gardiner, Dragon Peak, Mount Tyndall, Owens River Gorge, the Alabama Hills, and the Buttermilks. Horseback riding takes place primarily within the John Muir Wilderness and Inyo National Forest. Inyo County also has approximately 2,500 miles of unpaved rural roads and trails used by hikers and mountain bikers, including abandoned railroad corridors and roads maintained by the Inyo National Forest, NPS, BLM, SCE, and the LADWP. Hang gliding is most popular in the summer months and occurs on mesa tops. Rockhounding is common in areas off of US Highway 395. Wildlife and nature viewing is provided in most areas of the County, but particularly within the wilderness areas and forest land. Similarly, birding is popular in natural open space areas and at Owens Lake. Wilderness camping occurs within Death Valley, the Inyo National Forest, and BLM lands. Scenic driving is provided in most areas of the County due to the abundance of scenic resources, and the officially designated state scenic highways and scenic byways within the county.

4.16.2 Significance Thresholds

In accordance with Appendix G of the CEQA Guidelines, the proposed project would have a significant impact to recreation resources if the project would:

1. 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; or

2. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

4.16.3 Impact Analysis

REC-1 The proposed project would not 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.

As described in Section 3.4.3 Development Scenarios, project implementation could result in the addition of up to a total of 373 new dwelling units over the next 20 years. This new residential development could provide housing for approximately 840 residents based on current occupancy rates. As discussed in Section 4.14, Population and Housing, these dwelling units would be constructed over a period of 20 years and would largely provide housing for existing residents of the City of Bishop and surrounding areas.

The City of Bishop currently provides approximately 11.5 acres of developed, city-maintained park land per 1,000 residents, well exceeding the parkland dedication standard of 3 acres per 1,000 residents established by the Subdivision Map Act and Quimby Act. Even if all 840 residents projected under the high development scenario were new residents of the City, this ratio would still be 9.44 acres of developed, City-maintained park land per 1,000 residents and would continue to exceed this goal. The proposed project could result in the development of additional housing units which could provide housing for up to 840 residents, which could cause increased use of existing recreational facilities and potentially lead to facility deterioration or degradation. However, the City of Bishop and the surrounding dispersed recreational areas in Inyo County provide ample opportunities for outdoor recreation and it is not anticipated that the residents would cause significant deterioration to any one facility. Therefore, the impacts from increased use of existing parks or recreational facilities would be less than significant.

Significance without Mitigation: Less than significant.

REC-2 The proposed project would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

The project does not include, and would not directly induce, the construction or expansion of recreational facilities in the project area. There would be no impact.

Significance without Mitigation: No impact.

4.16.4 Cumulative Impacts

REC-3 The proposed project would not result in a significant cumulative impact with respect to recreation.

Cumulative impacts would occur when the proposed project, in combination with the other projects in the City of Bishop, would result in an increased use of parks and recreational facilities such that substantial physical deterioration of the facility would occur, or if the projects would include the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. Potential impacts to recreation are evaluated at the regional level. As discussed above, the proposed project would not include recreational facilities or require the construction or expansion

of recreational facilities that might have an adverse impact on the environment, and because it would have no impact it would therefore not contribute to a cumulatively considerable impact.

As discussed above, the proposed project would result in less than significant increased use of regional and neighborhood parks and recreational facilities and therefore would not cause substantial physical deterioration of the facilities. Even with the potential additional residents, the City of Bishop would still well exceed its goal of providing adequate park acreage to residents. Potential development under the proposed project could result in residential, commercial, and mixed-use development projects being constructed concurrently with, and in proximity to, other land use and development projects in the City of Bishop shown in Table 4-1, City of Bishop Cumulative Projects List. Each cumulative project could result in a small but incremental impact to recreation. All projects in the City, including the cumulative projects, would be required to comply with the goals, policies, and implementation measures of the City General Plan that would require the provision of adequate parkland for residents. Therefore, the cumulative impact of the proposed project and the other projects included in the cumulative analysis would be less than significant.

Significance without Mitigation: Less than significant.

4.16.5 References

City of Bishop. 1993. General Plan – Parks and Recreation Element. Accessed October 25, 2021 and available at: https://www.cityofbishop.com/Document%20Center/Department/Planning/General%20Plan/Parks.pdf.

Inyo County. 2021. Parks and Recreation. Accessed September 20, 2021 and available at: https://www.inyocounty.us/services/parks-recreation.

4.17 Transportation

This section describes the regulatory framework and existing transportation and traffic conditions related to the proposed project, evaluates the potential impacts that could occur as a result of implementation of the proposed project, including potential impacts to intersections, roadway segments, pedestrian and bicycle facilities, and transit service, and details mitigation measures needed to reduce significant impacts, as necessary.

4.17.1 Environmental Setting

4.17.1.1 Regulatory Framework

This section describes federal, State, and local environmental laws and policies that are relevant to the CEQA review process for transportation and circulation. These policies provide context for the impact discussion related to the proposed project's consistency with the applicable regulatory conditions.

Federal Regulations

Code of Federal Regulations

Code of Federal Regulations (CFR) Title 49, Subtitle B, provides guidelines pertaining to interstate and intrastate transport of goods and hazardous materials and substances, as well as safety measures for motor carriers and motor vehicles that operate of public highways. The primary transportation corridor within the County is US Highway 395; most of the County's population is located along this highway.

CFR Title 23, Part 658 prescribes national policies that govern truck sizes and weights on the national network of highways based on the Surface Transportation Assistance Act. The maximum length of a semitrailer operating in a truck tractor-semitrailer combination is 48 feet. The maximum length of a semitrailer or trailer operating in a truck tractor, semitrailer-trailer combination, is 28 feet. The maximum width of vehicles operating on the national network is 102 inches (except for mobile home transport, which requires a special permit). The maximum gross vehicle weight is 80,000 pounds.

State Regulations

California Department of Transportation

California Department of Transportation (Caltrans) is a State agency overseeing State highway, bridge, and rail transportation planning, construction, maintenance and operation. For administrative purposes, Caltrans divides the State into 12 districts, supervised by district offices. Inyo County is located within District 9 which is headquartered in Bishop. Caltrans requires an encroachment permit for non-transportation activities, including utility construction, occurring within rights-of-way (ROW) of the State highway system. Caltrans also requires transportation permits for the movement of vehicles or loads exceeding the size and weight limitations of the California Vehicle Code.

State Improvement Program

The California Transportation Commission (CTC) administers transportation programming, which is the public decision-making process that sets priorities and funds projects that have been envisioned in long-range public transportation plans (California Transportation Commission 2019). The CTC commits

expected revenues for transportation projects over a multi-year period. The State Transportation Improvement Program (STIP) is a multi-year capital improvement program for transportation projects both on and off the state highway system. The STIP is prepared by Caltrans in cooperation with the metropolitan planning organizations (MPO) and regional transportation planning agencies and contains all capital and noncapital transportation projects or identified phases of transportation projects for funding under the Federal Transit Act and Title 23 of the United States Code. STIP is funded with revenues from the state highway account and other funding sources. STIP programming typically occurs every 2 years.

California Transportation Plan 2050

The California Transportation Plan 2050 (CTP) was adopted in February 2021. The CTP, which is overseen by Caltrans, serves as a blueprint for California's transportation system, as defined by goals, policies, and strategies to meet the State's future mobility needs (Caltrans 2021). The goals defined in the CTP fall into three categories: social equity, prosperous economy, and quality environment. Each goal is tied to performance measures. In turn, members from regional and MPOs report these performance measures to Caltrans.

California Streets and Highways Code

The California Streets and Highways Code contains regulations for the care and protection of state and County highways and specifies that permits issued by Caltrans be required for roadway encroachment during truck transportation and delivery, as well as loads that exceed Caltrans' weight, length, or width standards for public roadways. The code also requires permits for utilities constructed within the right-of-way of a public highway.

California Vehicle Code

The California Vehicle Code contains several regulations regarding the safe transport of hazardous materials, hazardous waste, and explosive materials. It also provides weight guidelines and excessive load restrictions for vehicles traveling on highways.

Senate Bill 375

Senate Bill (SB) 375 provides guidance regarding curbing emissions from cars and light trucks to help the State comply with Assembly Bill (AB 32). There are four major components to SB 375. First, SB 375 requires regional greenhouse gas (GHG) emissions targets. The California Air Resources Board's (CARB) Regional Targets Advisory Committee guides the adoption of targets to be met by 2020 and 2035 for each MPO in the State. These targets, which MPOs may propose themselves, must be updated every 8 years in conjunction with the revision schedule of the housing and transportation elements of local general plans. Second, the MPOs are required to create a sustainable communities strategy (SCS) that provides a plan for meeting regional targets. The SCS and the regional transportation plan (RTP) must be consistent, including action items and financing decisions. If the SCS does not meet the regional target, the MPO must produce an alternative planning strategy that details an alternative plan for meeting the target. Third, SB 375 requires planning strategy that details an alternative plan for meeting the target. Third, SB 375 requires regional housing elements and transportation plans to be synchronized on 8-year schedules. In addition, regional housing needs allocation numbers must conform to the SCS. If local jurisdictions are required to rezone land as a result of changes in the housing element, rezoning must take place within 3 years of adoption of the housing element. Finally, MPOs must use transportation and

air emissions modeling techniques that are consistent with the guidelines prepared by the CTC. Regional transportation planning agencies, cities, and counties are encouraged, but not required, to use travel demand models that are consistent with CTC guidelines.

Public Resources Code Section 21099(b)(1) (Senate Bill 743)

Public Resources Code (PRC) Section 21099(b)(1) requires the Office of Planning and Research (OPR) to develop revisions to the CEQA Guidelines, thereby establishing criteria for determining the significance of transportation impacts from projects that "promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses." PRC Section 21099(b)(2) states that, upon certification of the revised guidelines for determining transportation impacts, pursuant to Section 21099(b)(1), automobile delay, as described solely by level of service (LOS) or similar measures of vehicular capacity, or vehicular traffic congestion shall not be considered a significant impact on the environment under CEQA. In response to PRC Section 21099(b)(2), CEQA Guidelines Section 15064.3 notes that "Generally, vehicle miles traveled is the most appropriate measure of transportation impacts." The Guidelines section further states that although a lead agency may elect to be governed by this section immediately, lead agencies are not required to utilize vehicle miles traveled (VMT) as the metric to determine transportation impacts until July 1, 2020. These recent changes to the CEQA guidelines and statutes are now in effect. This shift in transportation impact criteria is expected to better align transportation impact analysis and mitigation outcomes with the State's goals to reduce GHG emissions, encourage infill development, and improve public health through more active transportation.

Previously, LOS measured the average amount of delay experienced by motorists at an intersection during the most congested time of day, while the new metric – VMT – measures the total number of daily miles traveled by vehicles on the roadway network. SB 743 changes the focus of transportation impact analysis in CEQA from measuring impacts on drivers to measuring the impact of driving.

In December 2018, the Governor's Office of Planning and Research (OPR) published the Technical Advisory on Evaluating Transportation Impacts in CEQA (Technical Advisory), which contains OPR's technical recommendations regarding assessment of VMT, thresholds of significance, and mitigation measures. This Technical Advisory provides screening criteria for certain project types, including a daily trip threshold to define "small projects" with respect to their potential to result in significant transportation effects (Office of Planning and Research 2018).

The Technical Advisory recommends VMT significance thresholds for different project types not meeting the screening criteria. The VMT level is commonly assessed using an efficiency metric, such as VMT per capita or VMT per service population. Lead agencies have the discretion to set thresholds of significance or apply thresholds on a case-by-case basis.

Local Regulations

Inyo County Regional Transportation Plan

The Inyo County Regional Transportation Plan (RTP), adopted in 2019 by the Inyo County Local Transportation Commission, serves as the planning blueprint to guide transportation investments in the County involving local, state, and federal funding through the year 2039. Applicable goals and policies contained in the plan include the following:

- **Goal 2:** A transportation system that is safe, efficient and comfortable which meets the needs of people and goods and enhances the lifestyle of the County's residents.
    - **Policy 2.2.1: Proper access.** Provide proper access to residential, commercial, and industrial areas.
- **Goal 3:** Maintain adequate capacity on State and Local Routes in and surrounding Inyo County and the City of Bishop.
    - **Policy 3.3.1:** Support roadway improvements to optimize public safety. Improve County roads through specific safety improvements and maintenance.

City of Bishop General Plan

The Mobility Element of the General Plan addresses the movement of people and goods through a variety of transportation facilities (City of Bishop 1993). Applicable goals and policies include the following:

- **Goal 1:** Provide a balanced transportation system that moves people and goods throughout the City efficiently, enhances livability and economic viability, and preserves residential neighborhoods and other environmental resources.
    - **Policy P 1.1:** Promote accessible transportation services and facilities that are responsive to the needs of residents, businesses, and visitors.
    - **Policy P 1.2:** Facilitate future plans and programs for enhancing mobility while preserving the existing character of the City.
    - **Policy P 1.3:** Encourage transportation strategies that achieve energy conservation, reduce air pollution, and protect water and other environmental resources.
    - **Policy P 1.4:** Reduce the need for vehicular travel by facilitating non-auto modes of travel.
- **Goal 2:** Provide safe and attractive roadways to serve existing and future traffic demand and enhance accessibility.
    - **Policy P 2.1:** Promote street system additions and improvements that enhance accessibility.
    - **Policy P 2.2:** Support a system of street cross-sections as guidelines for street operation and improvements, and new street construction.
    - **Policy P 2.3:** Require streets to be dedicated and improved in accordance with the adopted street standards, with any modifications requiring approval by the Planning Commission.
    - **Policy P 2.4:** Give priority to transportation projects designed to improve the efficiency, safety, and quality of existing facilities.

  - **Policy P 2.5:** Promote transportation programs that enhance the downtown area by improving accessibility.

  - **Policy P 2.6:** Consider aesthetic values such as streetscape features in new roadways and roadway improvements.

  - **Policy P 2.7:** Ensure transportation facilities are developed, operated, and maintained to protect and enhance water and other environmental resources.

- **Goal 3:** Facilitate public transportation services and facilities that enhance accessibility for residents and visitors, and serve the young, aged, handicapped and disadvantaged.

  - **Policy P 3.1:** Encourage transit ridership between Bishop and the surrounding communities.

  - **Policy P 3.2:** Enhance local transit accessibility for residents and visitors.

  - **Policy P 3.3:** Support private services that provide additional mobility opportunities for residents and visitors.

  - **Policy P 3.4:** Ensure that public transportation in the City is responsive to the needs of the young, aged, handicapped and disadvantaged.

- **Goal 4:** Provide safe and attractive bicycle facilities throughout the City thereby promoting bicycle commuting and facilitating recreation opportunities.

  - **Policy P 4.1:** Promote bicycle travel as part of serving the overall mobility needs of the City.

  - **Policy P 4.2:** Encourage productive and complementary use of city street right of way for bicycle facilities.

  - **Policy P 4.3:** Support the goals and implementing actions of the Inyo County Collaborative Bikeways Plan.

  - **Policy P 4.4:** Promote connections of City bike facilities to trail networks outside of the City.

- **Goal 5:** Improve access to the Bishop Airport and cooperate with the Inyo County to promote air services that can promote tourism in the area.

  - **Policy P 5.1:** Encourage transportation improvements that will serve the Bishop Airport.

  - **Policy P 5.2:** Support actions that will provide air services for visitors to the Bishop area.

- **Goal 6:** Provide safe and attractive pedestrian facilities throughout the City.

  - **Policy P 6.1:** Consider pedestrians in all land use and transportation planning.

- **Policy P 6.2:** Support the implementation of sidewalks and walkways on existing and future streets as in Policy 2.3.
- **Policy P 6.3:** Promote facilities and amenities that enhance the walkability of the City.
- **Policy P 6.4:** Require all new or renovated pedestrian facilities to be of a sufficient width to ensure pedestrian comfort and safety and to accommodate the special needs of the physically disabled.
- **Policy P 6.5:** Promote connections of City pedestrian facilities to trail networks outside the City.

- **Goal 7:** Enhance accessibility to City businesses for residents and visitors by assuring adequate and convenient parking.
  - **Policy P 7.1:** Promote programs such as signage and parking management to facilitate parking for the downtown area and for community events.
  - **Policy P 7.2:** Encourage development that reduces parking demand and promotes alternative means of travel.
  - **Policy P 7.3:** Encourage and facilitate the establishment of convenient parking areas to enhance parking accessibility.
  - **Policy P 7.4:** Ensure that adequate off street parking is incorporated into all new developments and redevelopments outside the downtown commercial area.

4.17.1.2 Existing Conditions

Transportation Network

Roadways have two basic classifications, state highways and local streets. The City is served by three state highways: US Highway 395, State Route (SR) 168, and US Highway 6. These are planned, constructed, and operated by the California Department of Transportation (Caltrans), and the City has no jurisdiction over these streets. The arterial streets under City jurisdiction serve both local and regional traffic in varying capacities.

US Highway 395

US Highway 395 is the major transportation corridor in and through the downtown Bishop area. This highway is by far the most traveled route in the City and is part of a major transportation corridor connecting the Eastern Sierra Region and Western Central Nevada to the Southern California Region. This corridor (along with State Route 14) is the lifeline of all the major communities along the Eastern Sierra. In downtown Bishop, US Highway 395 is four lanes with limited on-street parking and a posted speed limit of 25 miles per hour.

State Route 168

Within Inyo County, SR 168 originates near Lake Sabrina in the Inyo National Forest, approximately 18 miles southwest of Bishop. Near Bishop, the roadway is two lanes with a continuous two-way left-turn lane, and it is designated as a bicycle route. At US Highway 395, there is a break in the continuity of SR 168. It continues northeast from Big Pine, approximately 15 miles south of Bishop, providing access to the ancient bristlecone pine area and Deep Springs Valley. The route then passes into Mono County and Nevada.

US Highway 6

US Highway 6 is a transcontinental highway that originates in Bishop, CA in the west and ends in Provincetown, MA in the east. Near Bishop, the roadway is two lanes.

Public Transportation

The City of Bishop is served by the Eastern Sierra Transit Authority (ESTA), and transit service provided by the ESTA includes fixed route and demand responsive service (i.e., City's Dial-A-Ride service and regional shuttles, such as the Bishop Creek Shuttle, Reno to Lone Pine, Mammoth Express, Lone Pine Express, Lancaster Route, and Benton to Bishop routes) (ESTA 2022).

Bicycle Facilities

The City's current bicycle network has approximately 2.9 miles of dedicated bikeways facilities. Three types of bicycle facilities are included in the City's Bikeway Plan (City of Bishop 1993).

- Bike Paths – Often referred to as "Class I Bikeways" are pathways separated from the vehicular roadway. They may be adjacent to a roadway or a totally separate facility. In some cases, they may be a multi-use trail, whereby the pathway is shared with pedestrians.

- Bike Lanes – These represent the "Class II Bikeways" in a Bikeway Plan and are striped lanes on a roadway.

- Bike Routes – These "Class III Bikeways" are designated on-street routes for bicycles. No striping is provided but bike route signs can be installed to indicate that a particular street is a bike route.

Much of the City's bikeway network lacks connectivity to the city center (Main Street), which was the goal of the Mobility Element's Bikeway Plan.

Bishop Airport

The Bishop Airport, located approximately two miles east of the City, provides a variety of services including aircraft maintenance, aircraft rental, charter services, and instruction. The Airport Master Plan identifies the need for runway improvements, navigational aides, control tower, terminal building, hangars, fire-crash facilities, and added parking, particularly if commercial service is successfully started at the airport. The Airport Master Plan also identifies the need for improved access to the airport from Wye Road (City of Bishop 1993).

4.17.2 Significance Thresholds

In accordance with Appendix G of the CEQA Guidelines, the proposed project would have a significant transportation impact if the project would:

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

2. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b);

3. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or,

4. Result in inadequate emergency access.

4.17.3 Impact Analysis

TRA-1 The proposed project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

The City's General Plan includes a number of policies and goals related to transportation and circulation systems. Many of these policies relate to the goal of preserving and improving the efficiency of existing transportation facilities and of making public transit and alternative mode transit choices (besides the automobile) more viable and attractive. Two project objectives identified for the proposed project include accommodating alternative transportation modes (e.g., pedestrian, bicycle) to reduce downtown congestion and developing multi-modal options to encourage active transportation trips to reduce parking demand and single occupancy vehicle trips.

The Downtown Bishop Specific Plan identified Active Transportation Enhancement Corridors (ATEC) in which both bicycle and pedestrian enhancements would work in conjunction with each other to develop improved user experiences for both modes. These corridors are important to the growth and connectivity of downtown Bishop, and below is a list of the ATECs identified by the Plan:

- Main Street
- Warren Street
- Elm Street
- Yaney Street
- Bishop Creek Canal

The Downtown Bishop Specific Plan identified Priority Bike Corridors (PBC) that would focus on creating streets that support and facilitate bike trips for people of all ages and ability. The PBCs would feature different bicycle facilities based on the individual street geometry and nature of the street's use to meet the transportation needs of the Bishop community and downtown area. Below is a list of the PBCs identified by the Plan:

- **Line Street/State Route 168** – 1st Street to Home Street
- **Home Street** – Sierra Street to Line Street

- **Sierra Street** – Main Street to the western end of Sierra Street
- **Elm Street** – Main Street to 3rd Street

The Downtown Bishop Specific Plan also identified Priority Pedestrian Corridors (PPC) that could feature improvements such as increasing sidewalk space for local streets, improving crosswalks, adding Rectangular Rapid Flashing Beacons (RRFB) to improve crossings, and improve wayfinding throughout the Plan area. Below is a list of the PPCs identified by the Plan:

- **Willow Street** – Hanby Avenue to Main Street
- **Pine Street** – Hanby Avenue to Main Street
- **Church Street** – Main Street to Fowler Street
- **Academy Avenue** – Main Street to Fowler Street
- **Lagoon Street** – Edwards Street to Main Street
- **Clarke Street** – Main Street to 3rd Street

Adoption of the Downtown Bishop Specific Plan would directly fulfill and/or contribute to the goal and the policies identified in the City's Mobility Element. Therefore, implementation of the proposed project would not conflict with a program, plan, ordinance or policy addressing the circulation system, and impacts would be less than significant.

Significance without Mitigation: Less than significant impact.

TRA-2 The proposed project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).

On September 27, 2013, California Governor Jerry Brown signed SB 743 into law (which was codified in Public Resources Code section 21099) and started a process that changed the way transportation impact analysis is conducted as part of CEQA compliance. These changes include elimination of automobile delay, LOS, and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant impacts under CEQA. Per OPR's Technical Advisory in Evaluating Transportation Impacts in CEQA, "as one appellate court recently explained: 'During the last 10 years, the Legislature has charted a course of long-term sustainability based on denser infill development, reduced reliance on individual vehicles and improved mass transit, all with the goal of reducing greenhouse gas emissions. Section 21099 is part of that strategy . . . .'" (OPR 2018).

In accordance with the goals and intent of SB 743, the proposed project represents a high development scenario where up to 373 multi-family units could be developed in both the Specific Plan area and Mixed-Use Overlay Zone. The purpose of the Mixed-Use Overlay Zone is to provide opportunities for infill and redevelopment and increase the scale and capacity of buildings on Main Street and E Line Street, and to support this objective, allowable building heights are increased for structures fronting Main Street and E Line Street. The proposed project encourages denser infill development and improvements to roadways, bikeways, and pedestrian facilities. As discussed under Impact TRA-1, two project objectives identified for the proposed project include accommodating alternative transportation modes (e.g., pedestrian, bicycle) to reduce downtown congestion and developing multi-modal options to encourage active transportation trips to reduce parking demand and single occupancy vehicle trips.

In December 2018, the OPR completed an update to the CEQA Guidelines to implement the requirements of SB 743 (OPR 2018). The Guidelines state that VMT must be the metric used to

determine significant transportation impacts. The Guidelines require all lead agencies in California to use VMT-based thresholds of significance in CEQA documents published after July 2020.

The OPR Guidelines recommend developing screening criteria for development projects that meet certain criteria that can readily lead to the conclusion that they would not cause a significant impact on VMT. VMT refers to the amount and distance of automobile travel attributable to a project. The OPR Guidelines also recommend evaluating VMT impacts using an efficiency-based version of the metric, such as VMT per resident for residential developments and/or VMT per worker for office or other employment-based developments (OPR 2018). Since the City has not developed their screening criteria or thresholds of significance, this analysis uses screening criteria and thresholds of significance recommended by the OPR Guidelines.

Per the OPR Guidelines, "CEQA Guideline Section 15064.3, subdivision (b)(1), states that lead agencies generally should presume that certain projects (including residential, retail, and office projects, as well as projects that are a mix of these uses) proposed within 0.5 mile of an existing major transit stop or an existing stop along a high-quality transit corridor will have a less-than-significant impact on VMT. This presumption would not apply, however, if project-specific or location-specific information indicates that the project will still generate significant levels of VMT. For example, the presumption might not be appropriate if the project:

- Has a Floor Area Ratio (FAR) of less than 0.75
- Includes more parking for use by residents, customers, or employees of the project than required by the jurisdiction (if the jurisdiction requires the project to supply parking)
- Is inconsistent with the applicable Sustainable Communities Strategy (as determined by the lead agency, with input from the Metropolitan Planning Organization)
- Replaces affordable residential units with a smaller number of moderate- or high-income residential units"

None of exceptions listed above apply to the proposed project, and the proposed project is not anticipated to generate significant levels of VMT. As discussed above, transit service in the City is provided by the ESTA and includes fixed route and demand responsive service (i.e., City's Dial-A-Ride service and regional shuttles, such as the Bishop Creek Shuttle, Reno to Lone Pine, Mammoth Express, Lone Pine Express, Lancaster Route, and Benton to Bishop routes). There are, at a minimum, four existing bus stops either within the boundaries of or within 0.5 mile of the Plan area and Mixed-Use Overlay Zone that serve the City's Dial-A-Ride and/or the regional shuttle routes listed above. Existing Dial-A-Ride and/or regional shuttle bus stops within the boundaries of or within 0.5 mile of the Plan area and Mixed-Use Overlay Zone are located at the local Von's grocery store (1190 N. Main Street), behind Chamber of Commerce (690 N. Main Street), intersection of Warren Street and Church Street, and former Joseph's Bi-Rite Market (211 N. Main Street) (ESTA 2022).

The proposed project would encourage dense infill development and mixed-use land uses in the downtown Bishop area as well as multimodal transportation and connectivity as discussed above and under Impact TRA-1. Therefore, the proposed project would have a less than significant impact related to VMT.

Significance without Mitigation: Less than significant impact.

TRA-3 The proposed project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Potential road hazards can occur due to a design feature or physical configuration of existing or proposed access roads that can affect the safe movement of vehicles along a roadway. Future development within the Plan area would require construction of access roads that would intersect with existing local roadways. These access roads would be designed in compliance with City private roadway standards to allow safe passage of vehicles, including oversized trucks, and would provide safe, adequate sight distances from project driveways and intersections. Adequate sight distance would be verified by completion of a project-specific sight distance analysis. Additionally, future development in the Plan area is not anticipate to include development that would construct curves, slopes, walls, landscaping, or other barriers that would create potential conflicts for vehicles accessing the project sites. Therefore, the proposed project would not introduce or increase hazards due to a geometric design feature, and impacts would be less than significant.

Significance without Mitigation: Less than significant impact.

TRA-4 The proposed project would not result in inadequate emergency access.

Construction projects implemented within the Plan area could cause temporary changes in emergency access. As subsequent development projects are proposed in the City, each project would be reviewed to ensure continued roadway safety and emergency access. Traffic control measures, such as the use of flaggers and guide vehicles, may be required at specific times to facilitate construction vehicle ingress and egress within the Plan area. On-site access roads would also be provided within sites proposed for development to allow for sufficient emergency vehicle access. A traffic control plan may be prepared, as necessary, and include measures to avoid disruptions or delays in access for emergency vehicles and to notify emergency service providers of any road or traffic conditions that may impede emergency access. Therefore, implementation of the proposed project would not result in inadequate emergency access, and impacts would be less than significant.

Significance without Mitigation: Less than significant impact.

4.17.4 Cumulative Impacts

TRA-5 The proposed project would not contribute to a significant cumulative impact with respect to transportation.

Cumulative impacts would occur when the proposed project, in combination with other projects in the City, would directly or indirectly have a substantial adverse effect on transportation, VMT, and circulation. The analysis of cumulative impacts is based on impacts of the proposed project and the other cumulative projects in the City as listed in Table 4-1. As discussed above, the proposed project would not have a significant impact on a transportation plan, program, or policy, VMT, street design, or emergency access.

Several cumulative projects are proposed and/or pending within or surrounding the City of Bishop. Three of the cumulative projects included in this analysis are infrastructure improvement projects (bridge, sewer trunk, and pavement replacement) that would not have long-term aesthetic impacts on

the surrounding areas. The remaining cumulative projects are land use planning and residential development projects, one of which is approved and pending construction within the Plan area (Silverpeaks Affordable Housing Project). Cumulative impacts from the development of the proposed project and other projects in the City could result in short-term impacts to local roadways and highways, but the other cumulative projects would also be required to prepare traffic control plans to reduce construction-related traffic impacts to less than significant. Additionally, development of the proposed project is anticipated to occur over a 20-year timeframe which would minimize overlapping construction schedules and cumulative transportation impacts. Therefore, the proposed project's contribution to cumulative construction transportation impacts would be less than significant.

Significance without Mitigation: Less than significant impact.

4.17.5 References

Bishop, City of. 2012. General Plan – Mobility Element. Available at: https://cms9files1.revize.com/bishopca/Document%20Center/Department/Planning/General%20Plan/MobilityElementFinal20120213.pdf.

Eastern Sierra Transit Authority. 2022. Routes & Schedule. Accessed January 20, 2022 at https://www.estransit.com/.

LSC Transportation Consultants, Inc. (LSC). 2019. Inyo County Regional Transportation Plan 2019 – 2039. Prepared for the Inyo County Local Transportation Commission. September.

State of California Governor's Office of Planning and Research (OPR). 2018. Technical Advisory on Evaluating Transportation Impacts in CEQA. December. Available at: https://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf.

4.18 Tribal Cultural Resources

This section describes the regulatory framework and existing conditions related to tribal cultural resources, evaluates the potential impacts that could occur as a result of implementation of the proposed project, and details mitigation measures needed to reduce significant impacts, as necessary.

4.18.1 Environmental Setting

4.18.1.1 Regulatory Framework

Federal Regulations

National Historic Preservation Act (54 United States Code 300101 et seq.)

The National Historic Preservation Act (NHPA) establishes the federal government policy on historic preservation and the programs, including the National Register of Historic Places (NRHP), through which this policy is implemented. Under the NHPA, significant cultural resources, referred to as historic properties, include any prehistoric or historic district, site, building, structure, object, or landscape included in, or determined eligible for inclusion in, the NRHP. Historic properties also include resources determined to be a National Historic Landmark. National Historic Landmarks are nationally significant historic places designated by the Secretary of the Interior because they possess exceptional value or quality in illustrating or interpreting United States heritage. A property is considered historically significant if it meets one or more of the NRHP criteria and retains sufficient historic integrity to convey its significance. This act also established the Advisory Council on Historic Preservation (ACHP), an independent agency that promotes the preservation, enhancement, and productive use of our nation's historic resources, and advises the President and Congress on national historic preservation policies. The ACHP also provides guidance on implementing Section 106 of the NHPA by developing procedures to protect cultural resources included in, or eligible for inclusion in, the NRHP. Regulations are published in 36 CFR Parts 60, 63, 800.

Section 106 of the NHPA affords the ACHP and the State Historic Preservation Officer, as well as other consulting parties, a reasonable opportunity to comment on any undertaking that would adversely affect historic properties. State Historic Preservation Officers administer the national historic preservation program at the state level, review NRHP nominations, maintain data on historic properties that have been identified but not yet nominated, and consult with federal agencies during Section 106 review.

The NRHP eligibility criteria (36 CFR Section 60.4) is used to evaluate significance of potential historic properties. Properties meeting any of the following criteria are considered eligible for listing in the NRHP if they retain integrity of the property's location, design, setting, materials, workmanship, feeling, or association.

a. Associated with events that have made a significant contribution to the broad patterns of our history.

b. Associated with the lives of persons significant to our past.

c. Embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master; or that possess high artistic values; or that represent a significant and distinguishable entity whose components may lack individual distinction.

d. Have yielded, or may be likely to yield, information important in prehistory or history.

Section 101(d)(6)(A) of the NHPA allows properties of traditional religious and cultural importance to a Native American tribe to be determined eligible for NRHP inclusion. In addition, a broader range of Traditional Cultural Properties are also considered and may be determined eligible for or listed in the NRHP. Traditional Cultural Properties are places associated with the cultural practices or beliefs of a living community that are rooted in that community's history and that may be eligible because of their association with cultural practices or beliefs of living communities that (a) are rooted in that community's history, and (b) are important in maintaining the continuing cultural identity of the community. In the NRHP programs, "culture" is understood to mean the traditions, beliefs, practices, lifeways, arts, crafts, and social institutions of any community, be it an Indian tribe, a local ethnic group, or the nation as a whole.

State Regulations

Native American Heritage Commission

Section 5097.91 of the PRC established the Native American Heritage Commission (NAHC), whose duties include the inventory of places of religious or social significance to Native Americans and the identification of known graves and cemeteries of Native Americans on private lands. Under Section 5097.9 of the PRC, a State policy of noninterference with the free expression or exercise of Native American religion was articulated along with a prohibition of severe or irreparable damage to Native American sanctified cemeteries, places of worship, religious or ceremonial sites, or sacred shrines located on public property. Section 5097.98 of the PRC specifies a protocol to be followed when the NAHC receives notification of a discovery of Native American human remains from a county coroner.

Government Code Sections 6254(R) AND 6254.10

These sections of the California Public Records Act were enacted to protect archaeological sites from unauthorized excavation, looting, or vandalism. Section 6254(r) explicitly authorizes public agencies to withhold information from the public relating to "Native American graves, cemeteries, and sacred places maintained by the Native American Heritage Commission." Section 6254.10 specifically exempts from disclosure requests for "records that relate to archaeological site information and reports, maintained by, or in the possession of the Department of Parks and Recreation, the State Historical Resources Commission, the State Lands Commission, the NAHC, another state agency, or a local agency, including the records that the agency obtains through a consultation process between a Native American tribe and a state or local agency."

Assembly Bill 52 and Related Public Resources Code Sections

Assembly Bill (AB) 52 (Chapter 532, Statues of 2014) amended California PRC Section 5097.94, and added PRC Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3. AB 52 applies specifically to projects for which an NOP or a Notice of Intent to Adopt a Negative Declaration or Mitigated Negative Declaration (MND) will be filed on or after July 1, 2015.

The primary intent of AB 52 was to include California Native American Tribes early in the environmental review process and to establish a new category of resources related to Native Americans that require consideration under CEQA, known as Tribal Cultural Resources (TCR). PRC Section 21074(a)(1) and (2) defines TCRs as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe" that are either included or determined to be eligible for inclusion in the California Register or included in a local register of historical resources, or a resource that is determined to be a tribal cultural resource by a Lead Agency, in its discretion and supported by substantial evidence. On July 30, 2016, the California Natural Resources Agency adopted the final text for the TCRs update to Appendix G of the CEQA Guidelines, which was approved by the Office of Administrative Law on September 27, 2016.

PRC Section 21080.3.1 requires that within 14 days of a Lead Agency determining that an application for a project is complete, or a decision by a public agency to undertake a project, the Lead Agency shall: provide formal notification to the designated contact, or a tribal representative, of California Native American Tribes that are traditionally and culturally affiliated with the geographic area of the project and who have requested in writing to be informed by the Lead Agency. Tribes interested in consultation must respond in writing within 30 days from receipt of the Lead Agency's formal written notification and the Lead Agency must begin consultation within 30 days of receiving the tribe's request for consultation.

PRC Section 21080.3.2(a) identifies the following as potential consultation discussion topics: the type of environmental review necessary; the significance of TCRs; the significance of the project's impacts on the TCRs; project alternatives or appropriate measures for preservation; and mitigation measures. Consultation is considered concluded when either: (1) the parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a TCR; or (2) a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.

If a California Native American Tribe has requested consultation pursuant to PRC Section 21080.3.1 and has failed to provide comments to the Lead Agency, or otherwise failed to engage in the consultation process, or if the Lead Agency has complied with Section 21080.3.1(d) and the California Native American Tribe has failed to request consultation within 30 days, the Lead Agency may certify an EIR or adopt an MND.

PRC Section 21082.3(c)(1) states that any information, including, but not limited to, the location, description, and use of the TCRs, that is submitted by a California Native American Tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the Lead Agency or any other public agency to the public without the prior consent of the tribe that provided the information. If the Lead Agency publishes any information submitted by a California Native American Tribe during the consultation or environmental review process, that information shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public.

Local Regulations

City of Bishop General Plan

Cultural resources are addressed within the Conservation/Open Space Element of the City of Bishop General Plan (City of Bishop 1993). The Conservation/Open Space Element contains the following goals to protect cultural resources within the City:

- To protect the scenic historic resources within the City and surrounding area.
- To protect the cultural and historical resources that form Bishop's heritage for the enjoyment of the present and future population.

4.18.1.2 Environmental Setting

NAHC Sacred Lands File Search

HELIX requested a search of the Sacred Lands File (SLF) maintained by the Native American Heritage Commission (NAHC) for the proposed project. On October 13, 2021, the NAHC provided the SLF search results, which were negative. However, absence of specific cultural resource information in the SLF does not negate the potential presence of cultural resources within the project area and eight parcels. As outlined in the tribal consultation and outreach efforts described below, the County requested cultural resource information from the tribes noted on the SLF search results.

Senate Bill 18 and Assembly Bill 52 Consultation

On November 8, 2021, the City of Bishop transmitted written requests for consultation with multiple tribal representatives to the following eight tribal governments that previously requested consultation under SB 18:

- Big Pine Paiute Tribe
- Bishop Paiute Tribe
- Cabazon Band of Mission Indians
- Fort Independence Indian Community of Paiutes
- Lone Pine Paiute-Shoshone Tribe
- Timbi-sha Shoshone Tribe
- Walker River Reservation
- Wuksache Indian Tribe

Also on November 8, 2021, the City transmitted written requests for consultation with multiple tribal representatives to the following three tribal governments that previously requested consultation under AB 52:

- Big Pine Paiute Tribe
- Bishop Paiute Tribe
- Cabazon Band of Mission Indians

As of December 21, 2021, the City had not received request for consultation under either SB 18 or AB 52 from any of the tribal governments that had been contacted.

4.18.2 Significance Thresholds

In accordance with Appendix G of the CEQA Guidelines, the proposed project would have a significant impact associated with tribal cultural resources if the project would:

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

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

    b. 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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.

4.18.3 Impact Analysis

TCR-1 The proposed project may cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geologically 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: 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).

No evidence has been provided by the tribes that TCRs may be present in the Specific Plan area and Mixed-Use Overlay Zone, and the thresholds under PRC Section 21074(a)(1) have not been met. However, the City acknowledges that TCRs may be present within the project area, and the proposed project could cause a significant impact to unknown TCRs within the footprint of the project parcels. Therefore, implementation of Mitigation Measure TCR-1 would address unanticipated discoveries of TCRs, and the proposed project's potential impacts to unknown TCRs would be less than significant.

Significance without Mitigation: Potentially significant impact.

Mitigation Measure TCR-1: Inadvertent Discovery of TCRs

In the event that tribal cultural resources are exposed during ground-disturbing activities, construction activities (e.g., grading, grubbing, or vegetation clearing) shall be halted in the immediate vicinity of the discovery. An archaeologist who meets the Secretary of the Interior's

Professional Qualifications Standards shall then be retained to evaluate the resource's significance under CEQA. If the discovery proves to be significant, additional work, such as data recovery excavation, may be warranted and shall be discussed in consultation with the City.

Significance with Mitigation: Less than significant impact.

TCR-2 The proposed project may cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geologically 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: 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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

No evidence has been provided by the tribes that TCRs may be present in the project parcels, and the thresholds under PRC Section 21074(a)(1) have not been met. However, the City acknowledges that TCRs may be present within the project parcels, and the proposed project could cause a significant impact to unknown TCRs within the footprint of the project parcels. Therefore, implementation of Mitigation Measure TCR-1 would address unanticipated discoveries of TCRs, and the proposed project's potential impacts to unknown TCRs would be less than significant.

Significance without Mitigation: Potentially significant impact.

See Impacts TCR-1 for Mitigation Measure TCR-1.

Significance with Mitigation: Less than significant impact.

4.18.4 Cumulative Impacts

TCR-3 The proposed project may result in a cumulative impact with respect to tribal cultural resources.

Cumulative tribal cultural resource impacts may occur when a series of actions leads to the loss of historically or archaeologically significant type of site, building, deposit, or tribal cultural resource. For example, while the loss of a single historic building may not be significant to the character of a neighborhood or streetscape, continued loss of such historic resources on a project-by-project basis could amount to a significant cumulative effect. As discussed above, with the implementation of Mitigation Measure TCR-1 for the inadvertent discovery of TCRs during construction, the proposed project would have less than significant impacts on unknown TCRs. However, the analysis of cumulative impacts to tribal cultural resources is based on impacts of the proposed project plus the other cumulative projects in the City.

As shown in Table 4-1, nine projects are proposed in and around the City of Bishop. Two of the projects included in this list are housing developments within the Bishop city limits, the Silverpeaks Affordable

Housing Project and the Kingston Subdivision. The Inyo County Vacant Lands Inventory project proposes zoning and General Plan land use amendments to allow for additional housing development on parcels adjacent to the City of Bishop. The Bishop Paiute Tribe Hotel project proposes to add a hotel to the existing casino in Bishop. Other cumulative projects include the City of Bishop 2021 Housing Element Update, the expansion of commercial airline service at Bishop Airport, located to the east of the City, and several small public works projects such as sewer trunk and bridge replacement. As such, each cumulative project that would be subject to CEQA would be required to conduct AB 52 consultation with the local tribes. The AB 52 consultation processes that are conducted for each cumulative project would ensure that impacts to TCRs are minimized to the maximum extent feasible. Therefore, with implementation of Mitigation Measure TCR-1 and the requirement for the other cumulative projects subject to CEQA to conduct AB 52 consultation processes with local tribes, no cumulatively considerable impact to TCRs would occur with approval of the proposed project.

Significance without Mitigation: Potentially significant impact.

See Impact TCR-1 for Mitigation Measure TCR-1.

Significance with Mitigation: Less than significant impact.

4.18.5 References

City of Bishop. 1993. General Plan – Conservation/Open Space Element. Accessed December 10, 2021 and available at: https://cms9files1.revize.com/bishopca/Document%20Center/Department/Planning/General%20Plan/Conservation.pdf.

4.19 Utilities and Service Systems

This section describes the regulatory framework and existing conditions related to utilities and service systems, evaluates the potential impacts to water, sanitary sewers, storm drainage, solid waste facilities, and energy systems as a result of implementation of the proposed project, and details mitigation measures needed to reduce significant impacts, as necessary.

4.19.1 Environmental Setting

4.19.1.1 Regulatory Framework

Federal Regulations

Clean Water Act

Section 304 of the Clean Water Act (CWA) establishes primary drinking water standards and requires states to ensure that potable water retailed to the public meets these standards. State primary and secondary drinking water standards are promulgated in California Code of Regulations Title 22, Sections 64431–64501. Secondary drinking water standards incorporate non health risk factors including taste, odor, and appearance. The National Pollutant Discharge Elimination System (NPDES) regulates the discharge of drainage to surface waters. Municipal storm drainage is required to meet board standards under waste discharge regulations and NPDES permits. Federal NPDES regulations are administered by the State Water Resources Control Board (SWRCB) and through Regional Water Quality Control Boards (RWQCBs). Because the proposed project area drains to the Great Basin, it is under the jurisdiction of the Lahontan RWQCB.

State Regulations

Porter-Cologne Water Quality Control Act (Section 13000 et seq.)

The State Water Resources Control Board and nine RWQCBs are responsible for implementing the CWA and the Porter Cologne Water Quality Control Act. The Porter-Cologne Water Quality Control Act directs the SWRCB and RWQCBs to prepare water quality control plans (basin plans) that establish water quality objectives and beneficial uses for each body of water, including groundwater basins, within the regional boundaries. The Basin Plan is the basis for each RWQCBs regulatory programs. The County is located within the purview of the Lahontan RWQCB, and must comply with applicable elements of the region's Basin Plan, as well as the Porter Cologne Water Quality Control Act.

California Energy Commission

The California Energy Commission (CEC) regulates the provision of natural gas and electricity within the state. The CEC is the state's primary energy policy and planning agency and has five major responsibilities: forecasting future energy needs and keeping historical energy data, licensing thermal power plants 50 megawatts or larger, promoting energy efficiency through appliance and building standards, developing energy technologies and supporting renewable energy, and planning for and directing the state response to energy emergencies.

California Integrated Waste Management Act

The California Integrated Waste Management Act of 1989 (Assembly Bill 939) was adopted to redefine waste management practices and to minimize the volume and toxicity of solid waste that is disposed at landfill facilities in the state. The California Integrated Waste Management Board is the State agency designated to oversee, manage, and track California's 76 million tons of waste generated each year. It is one of the six agencies under the umbrella of the California Environmental Protection Agency. The California Integrated Waste Management Board develops laws and regulations to control and manage waste; enforcement authority is typically delegated to the local government. The board works jointly with local government to implement regulations and fund programs.

Pursuant to the California Integrated Solid Waste Management Act of 1989, all cities in California are required to reduce the amount of solid waste disposed in landfills. Contracts that include work that will generate solid waste, including construction and demolition debris, have been targeted for participation in source-reduction, reuse, and recycling programs. Contractors are urged to manage solid waste to divert waste from landfills (particularly Class III landfills) and to maximize source reduction, reuse, and recycling of construction and demolition debris.

Assembly Bill 1826

AB 1826 requires that state agencies, businesses, and multifamily complexes that generate specific quantities of organic or solid waste each week enroll in organic recycling programs through an applicable solid waste disposal company. Organic recycling programs may take the form of composting, mulching, or anaerobic digestion. Businesses and multifamily residential housing complexes that generate the following quantities are required to implement organic or solid waste recycling programs under AB 1826:

- Eight or more cubic yards of organic waste per week as of April 1, 2016
- Four or more cubic yards of organic waste per week as of January 1, 2017
- Four or more cubic yards of solid waste per week as of January 1, 2019
- Two or more cubic yards of solid waste per week as of January 1, 2020, if statewide disposal of organic waste is not already reduced by half

The California Department of Resources Recycling and Recovery (CalRecycle) has determined that California has not achieved its statewide organic disposal goal of reducing organic waste disposal to 50 percent of 2014 levels by 2020, and therefore organic composting and recycling requirements have been expanded such that businesses that generate 2 or more cubic yards of solid waste per week must comply with the requirements of AB 1826 (CalRecycle 2021a).

Local Regulations

General Plan

The Public Services and Facilities element of the City of Bishop General Plan contains the following goals and policies related to utilities (City of Bishop 1993a):

- Goals
    - To assure that public facilities and uses have adequate land area in appropriate locations.
    - To assure that public facilities and uses are compatible with surrounding land uses.
    - To provide adequate public services to existing and future residents of the City of Bishop.
    - Provide adequate water supply, storage, transmission and distribution facilities to serve all areas of the City, both existing and planned.
- Policies
    - The City will maintain adequate public works facilities, equipment tools and materials to properly operate and maintain public works, including water supply sewage, drainage, street and parking lots.
    - Public facilities shall be adequately buffered to protect residential areas, through implementation of landscaping and other physical barriers.
    - Beautification and aesthetic values should be considered in the development and operation of public facilities and uses.
    - Develop and regularly update a Master Water Plan.
    - The City shall update and adopt the Sewer Master Plan in cooperation with the Eastern Sierra Community Services District.
    - Operation and maintenance of the water system shall be funded by user fees.
    - Operation and maintenance of the sewer system shall be funded by service fees.
    - Replacement and upgrades of water and sewer facilities shall be funded by development fees and user fee depreciation.
    - Expansion of water supply, storage and transmission facilities; and expansion and upgrade of the sewer treatment and disposal systems shall be constructed by the City using funds from development fees and user fee depreciation.
    - Expansion of the water distribution system and the sewer collection system required to meet needs of new development shall be provided by new development through impact fees or actual construction of facilities as a condition of approval.
    - Undergrounding of utility lines shall be encouraged for all new projects within the developed urban area and required in existing undeveloped parcels. The Planning Commission shall review development proposals with respect to the feasibility of undergrounding utilities as a Condition of Approval.
    - The City shall continue to regulate construction in the flood plain.
    - Curb and gutters shall be required in all new areas. Allow curbs only in existing development.
    - The City shall maintain compliance with state and federal standards for water quality and assure that appropriate testing is accomplished according to the State Department of Health Services requirements.
    - Projects shall be reviewed by the appropriate agencies during the development approval process.

City of Bishop Water Master Plan

In 2008, the City adopted a Water Master Plan to guide the development and operation of the City's water system. The Water Master Plan was developed concurrently with the Wastewater Master Plan. The Water Master Plan evaluated the City's existing water system, specifically looking at the City's wells, storage system, pipelines, fire hydrants, and disinfection facility. The plan identified potential

deficiencies within the existing water system and made recommendations for improvements. The plan also included a Capital Improvements Plan for the selected improvements to the water system.

City of Bishop Wastewater Master Plan

In 2008 the City adopted a Wastewater Master Plan, which included a comprehensive evaluation of the City's wastewater facilities and recommended improvements. The Wastewater Master Plan was developed concurrently with the Water Master Plan. The plan's goals were to guide development and operation of the City's sewer system and develop a Capital Improvements Plan that is responsible, realistic, and appropriate for the City. The time horizon for the implementation of the Capital Improvements Plan is 20 years and is expected to be completed by 2027.

Lahontan Regional Water Quality Control Board

The Lahontan Regional Water Quality Control Board (LRWQCB) is a regional division of the SWRCB. The Lahontan Region extends from the Oregon border to the northern Mojave Desert. The South Lahontan Basin includes three major surface water systems (the Mono Lake, Owens River, and Mojave River watersheds) and a number of separate, closed groundwater basins. LRWQCB adopts and implements Water Quality Control Plans (Basin Plans), set by the SWRCB, which recognize regional differences in natural water quality, actual and potential beneficial uses, and water quality problems associated with human activities.

Water quality standards and control measures for surface and ground waters of the Lahontan Region are contained in the 1995 Water Quality Control Plan for the Lahontan Region (Basin Plan). The Basin Plan designates beneficial uses for water bodies and establishes water quality objectives, waste discharge prohibitions, and other implementation measures to protect those beneficial uses.

4.19.1.2 Existing Conditions

Water

The City's original water system was established in 1923 and has been expanded over the years to meet demand. The City of Bishop currently provides water to all residents and businesses within the city limits as well as four customers outside the city limits. The U.S. Environmental Protection Agency (USEPA) and the CDPH set limits on the amounts of certain contaminants in the water provided by public water systems. The CDPH requires the City to monitor for certain contaminants on a quarterly and yearly basis. Water quality parameters have consistently met regulatory requirements.

The facilities owned and operated by the City include three wells, one steel water storage tank, 21.3 miles of pipelines, fire hydrants, and a disinfection facility. The City's primary source of water is Well 4, located on West Line Street approximately three miles west of Main Street. In 2005, the well produced 452 MG of water. Well 4 is unable to meet the City's entire water demand for most of the year, and when demand increases the City also runs Well 2. Well 1 serves as the City's standby well, and while it was upgraded in 2006 as of 2008 it was not being used due to high levels of fluoride found in the water (Water Master Plan). A fourth well (Well 3) is planned but has not yet been constructed. Bishop Creek serves as an additional source of water (City of Bishop 1993a).

The City stores all of its water in a one million gallon storage tank located on West Line Street approximately two-thirds of a mile east of Well 4. The tank is 23 feet high, 93 feet in diameter and

maintains a water level between 18 to 22 feet. The City is mandated to clean and inspect the tank every two years. The City has approximately 112,700 feet (21.3 miles) of water distribution pipe. The system consists of pipes between 2 and 20 inches in diameter (City of Bishop 2008a). The transmission line from the reservoir to the City is a 12-inch diameter pipe, and is considered to be undersized. The distribution system is characterized by undersized mains, lines that are not interconnected with other lines (deadend lines), and undersized old fire hydrants (City of Bishop 1993a).

In 2004, the City's average daily water usage was 1.6 million gallons per day (MGD). The Maximum Day demand was 4.0 MGD and the Peak Hour demand was 5.6 MGD. Approximately half the year's total water usage occurs in the summer months between June and September, with July being the highest usage of water (13.9% of the total annual amount) and January the lowest (4.9% of the total annual amount) (City of Bishop 2008a). The City's Water Master Plan evaluated the existing water facilities within the City and found that, under maximum buildout of allowable land uses within the General Plan, the average water demand would be 5.7 MGD. The existing wells that serve the City can produce up to 5.7 MGD. Under these conditions, the existing wells could meet daily demand but additional water sources and storage capacity would be necessary to meet demand during the summer months when average demand is higher (City of Bishop 2008a). Fire flow demand is recommended at 3,500 GPM for a10 hour duration (2.1 MGD) for conflagrations in commercial areas. While the existing water system can meet current peak hour and peak day demand, it cannot meet peak hour or peak day demand plus fire flow demand and additional sources of water would be necessary to ensure that all these needs could be met if they were to occur simultaneously (City of Bishop 1993a).

Wastewater

Wastewater services in the City of Bishop are provided through the Bishop Area Wastewater Authority (BAWA), a Joint Powers Authority formed in 2020 by the City of Bishop and the Eastern Sierra Community Services District (ESCSD). BAWA manages nearly 50 miles of collection system in and around the City, the City's 1.6 MGD wastewater treatment plant, the ESCSD's 0.85 MGD wastewater treatment plant, and disposal percolation ponds and recycled water irrigation areas. The current combined average daily flow from both entities is about 1.5 MGD (BAWA 2021). The City's wastewater Generation varies throughout the year, and flows are generally higher in the summer months because of the City's recreation-based economy. These flows are significant, as the Bishop Wastewater Treatment Plant was designed to handle approximately 1.6 MGD. The Bishop Wastewater Treatment Plant (WWTP), in combination with the ESCSD treatment plant, can treat a projected 3.2 MGD wastewater flow (City of Bishop 1993a).

The City's sewer system consists of a collection system of manholes and sewer mains, treatment facilities, and disposal facilities. The older manholes are constructed of brick, while newer manholes are constructed of concrete. The City's collection system is made up of 6-inch to 18-inch gravity pipelines that carry wastewater to the trunk line, which flows to the City's WWTP for treatment. The sewer mains are constructed of vitrified clay pipe (VCP) with small amounts of plastic sewer pipe. The sewer laterals are constructed of a variety of cast iron, steel, VCP, and Orangeburg pipe. The City uses one lift station, located south of Johnston Drive, to pump sewage from approximately 16 homes into the main line before it goes to the City's WWTP. The wastewater collection system routes all of the sewage to the Wastewater Treatment Plant, located on Sewer Plant Road, approximately one mile east of the City on Poleta Road. The City of Bishop treats it using primary and secondary (biological) methods. Wastewater treatment is provided by a Headwork Structure (rotating bar screen and grit chamber), primary

clarifiers, oxidation ponds and percolation/evaporation ponds. Digesters and sludge drying beds provide solids handling on-site.

The 2008 Wastewater Master Plan identified several deficiencies with the City's wastewater collection system, most of which are due to aging infrastructure. Much of the City of Bishop's wastewater system is reaching the end of its useful life and is in need of major repairs, replacements, and upgrades. Other deficiencies are related to more stringent state and federal requirements and to increased customer expectations. Of the 256 sanitary sewer manholes inspected at the time the Wastewater Master Plan was prepared, approximately 66 were in need of improvements. Generally, the sewer lines inspected were in poor condition due to problems such as root penetrations, grease buildup, offset joints, dips and sags, collapsed pipe, structural damage, and infiltration. The bar screen at the wastewater treatment plant did not have an automatic self-cleaning mechanism and was in a deteriorated condition. The grit chamber is not efficiently removing larger settleable solids, which can create problems downstream. The automatic sludge transfer system is not currently operating and sludge pumps and valves are deteriorated and in need of replacement. The digesters were built in the 1950s and are showing signs of aging. The top priority projects identified in the Wastewater Master Plan were to perform a trunk sewer hydraulic analysis, replace the bar screen, upgrade the grit chamber, make improvements to the sludge pump room, and install new anaerobic digesters (City of Bishop 2008b). The Plan anticipated that these improvements would be made over a 20 year period between 2009 and 2028.

The 2008 Wastewater Master Plan evaluated the potential full build out of residential land use districts under the current General Plan to estimate future wastewater generation. Under full build out of the current General Plan, the projected wastewater demand is 4.67 MGD. Residential demands account for approximately 1.2 million gallons of that demand, commercial for 3.2 million and industrial/schools for the remaining 170,000 gallons per day. The existing wastewater treatment plant for the City has the capacity to treat 1.6 MGD and cannot meet the average wastewater flow under full build out. Additional wastewater collection and treatment capacity would be required (City of Bishop 2008b).

Stormwater Drainage

Stormwater drainage in the City of Bishop takes place by means of surface drainage, storm drains, and ditches. Most stormwater flows are carried through gutters on City streets to ditches that discharge into a canal. There is a limited system of storm drains that collect runoff from City streets and state highways. These lines discharge to ditches, and in some cases, from the highways to the gutters on the city streets (City of Bishop 1993a).

Electric Power

Electricity within the City of Bishop is provided by two service providers: LAWDP and Southern California Edison (SCE). LADWP generally serves the older portions of the City and the area north and east of the Owens River, including the town of Laws. SCE provides electrical service in all other areas. While both LADWP and SCE generate hydroelectric power in the region using Bishop Creek and the Owens River, the region is still a net importer of energy rather than exporter. At the time the General Plan was published, it was anticipated that transmission lines and energy infrastructure would be adequate to serve the needs of the City (City of Bishop 1993a).

Telecommunications

Internet service in Inyo County is available through 11 internet service providers, with seven of those offering residential service. Wired internet providers in the County include Lone Pine Communications, Frontier Communications, Inyo Networks, and Suddenlink Communications (Broadband Now 2021).

Continental Telephone of California (Contel) serves the region with telephone service. The company's main facilities are located in Bishop and are adequate to meet the demand of additional growth without substantial improvements (City of Bishop 1993a).

Solid Waste

The City of Bishop is serviced by the Bishop Waste Disposal Company, which collects refuse from the residents of the City and the surrounding area at a charge. Refuse from the City is taken to the Bishop Sunland Solid Waste site which is located approximately two miles southeast of the City and is operated by the Inyo County Integrated Waste Management Department (ICIWMD). The landfill accommodates approximately 105 cubic yards per day (60 tons) from greater Bishop area. This includes all types of refuse, including residential and commercial. There are no other fees for disposal at the landfill site due to the implementation of the sales tax allotment for waste management (City of Bishop 1993b). The Bishop Sunland Solid Waste site has a permitted maximum daily throughput of 160 tons per day. The landfill has a remaining capacity of approximately 3.3 million cubic yards and is estimated to remain in operation until 2064 (CalRecycle 2021b).

4.19.2 Significance Thresholds

According to Appendix G of the CEQA Guidelines, the following criteria may be considered in establishing the significance of utilities and service systems:

1. 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;

2. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years;

3. Result in a determination by the wastewater 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;

4. 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; or

5. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

4.19.3 Impact Analysis

UTL-1 The proposed project would not 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.

Development associated with the proposed project is expected to occur in areas already sufficiently served by utilities and service systems because the proposed project is located in downtown Bishop. As described in Chapter 3, through the creation of the Specific Plan and Mixed-Use Overlay zone, the proposed project would allow for mixed-use development and may result in the addition of up to 840 residents. All development associated with the proposed project would take place in downtown Bishop, an area that is currently served by existing utilities. Future development associated with project implementation would be required to pay water and sewer impact fees to assist with the operation and maintenance of these systems and any necessary expansion or upgrades of these systems, as described in the General Plan. As discussed below in impact UTL-2, while the region has sufficient water supplies to serve the proposed project, additional water supply infrastructure such as a new well may be necessary to provide adequate water supply. As discussed below in UTL-3, wastewater infrastructure may need to be expanded or upgraded to provide for the needs of the proposed project. It is not anticipated that other utilities such as electric power, natural gas, or telecommunications would need to be constructed to serve the proposed project. While construction of any additional water or wastewater infrastructure necessary to meet the needs of the proposed project, this expansion has already been planned by the City prior to the existence of the proposed project and any infrastructure projects would need to undergo their own evaluation of environmental effects under CEQA. Therefore, the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

UTL-2 The proposed project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.

The City of Bishop provides water service within the city limits. As discussed above in Section 4.19.1.2, while the City is able to pump sufficient water supplies from its wells to meet the average daily demand, it would not be able to pump sufficient supplies to meet peak hour or peak day demand in the summer months in addition to fire flow demand. Additional pumping capacity is necessary to meet these demands and is planned for as part of the 2008 Water Master Plan, which proposed the construction of an additional well (Well 3) as well as improvements at the existing wells in order to increase pumping capacity.

The proposed project and the entire City of Bishop are located over the Owens Valley groundwater basin which is a low priority groundwater basin. The Owens Valley groundwater basin supplies a total of 1,054 wells, 130 of which are public supply wells. The estimated groundwater use in this basin is 134,680 acre-feet which is 84 percent of the basin's groundwater supply, and the Sustainable Groundwater Management Act (SGMA) 2019 Basin Prioritization report estimated an 8 percent population growth in the Owens Valley Groundwater Basin from 2010 to 2030. As discussed in Section 4.14, Population and Housing, the population growth in Inyo County overall between 2010 (18,546

people) and 2020 (18,584 people) was less than 0.01 percent. It is conservatively estimated that, under the high development scenario, the proposed project could add a maximum of 840 new residents to the County's total population of 18,584 people, which would be a 4.5 percent growth rate from 2020 and less than the assumed 8 percent population growth rate in the SGMA 2019 Basin Prioritization Report (DWR 2020).

While the City of Bishop does not presently have the pumping capacity to meet water demand during the peak summer months, it does have sufficient groundwater supplies to meet these needs. The Owens Valley groundwater basin has sufficient water supplies to serve the existing City of Bishop as well as any new residents that may be added to the City as the result of the proposed project. As described in the General Plan, development projects within the City are required to pay impact fees to fund the operation and maintenance of water supply infrastructure as well as any necessary upgrades to the system. Furthermore, the City has already planned for the expansion of its existing water supply facilities as part of its 2008 Water Master Plan. Therefore, the proposed project is anticipated to have sufficient water supplies available to serve the proposed project and the impact would be less than significant.

Significance without Mitigation: Less than significant impact.

UTL-3 The proposed project may result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

Wastewater treatment services for the proposed project would be provided by BAWA. As discussed above in Section 4.19.1.2, the 2008 Wastewater Master Plan evaluated the City's sewer system and wastewater treatment capacity and determined that the existing wastewater treatment system would not have the capacity to meet wastewater treatment demand under full build-out of the current General Plan. While the City has sufficient capacity to meet current daily demand, the system may become strained if another 840 residents were added to the City as may be possible under the high development scenario of the proposed project. This would be more likely to happen in the summer months, when flows are higher and there is a greater demand for wastewater treatment as a result of the influx of tourism. While the City has planned for improvements to the system, these have yet to be implemented. Because the system may not be able to meet its existing commitments in combination with the proposed project, the impact could be potentially significant. Implementation of Mitigation Measure UTL-1 would ensure that project applicants demonstrate that adequate wastewater capacity exists prior to project approval. Furthermore, as described in the General Plan development projects within the City are required to pay impact fees to fund the operation and maintenance of water supply infrastructure as well as any necessary upgrades to the system. With the implementation of Mitigation Measure UTL-1, the impact would be less than significant.

Significance without Mitigation: Potentially significant impact.

Mitigation Measure UTL-1: Demonstrate Adequate Wastewater Capacity

Future project applicants would be required to demonstrate that adequate wastewater capacity exists to serve the planned development project. Adequate capacity to handle wastewater to support the development of the project would need to be demonstrated prior to City approval of the grading plans.

Significance with Mitigation: Less than significant impact.

UTL-4 The proposed project would not 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.

UTL-5 The proposed project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

Population increase associated with project implementation is not expected to create substantial amounts of solid waste. For example, if the maximum anticipated number of 373 new units under the high development scenario were built out as a result of project implementation, an increase in population of up to 840 new individuals in the city could result. This increased population would result in a subsequent increase in solid waste generated. At the current statewide average solid waste disposal rate of 4.7 pounds per day per resident, the 840 residents would generate approximately 3,948 pounds per day of solid waste, or approximately 1.974 tons per day of solid waste (CalRecycle 2016). This accounts for only 1.2 percent of the maximum daily throughput capacity of the Bishop Sunland Solid Waste Site. The increase in waste from the additional residents would represent a small portion of the available permitted capacity at this site.

Multifamily units that may be constructed as part of the project would be subject to AB 1826, which requires that state agencies, businesses, and multifamily complexes that generate two or more cubic yards of solid waste per week enroll in organic recycling programs, which would reduce anticipated solid waste generation. It is not anticipated that future development under the project would result in substantially different solid waste generation rates than the County's 2018 CalRecycle solid waste disposal rates, in which the county meets all established disposal goals. Therefore, the project would not exceed state or local solid waste standards or infrastructure capacity, nor would it fail to comply with solid waste reduction goals. Impacts would be less than significant.

Significance without Mitigation: Less than significant impact.

4.19.4 Cumulative Impacts

UTL-6 The proposed project may result in a significant cumulative impact with respect to utilities.

Cumulative impacts would occur when the proposed project, in combination with other projects in the City of Bishop, would require or result in the construction of new or expanded utilities, have insufficient water supplies to serve the projects, result in a determination by a wastewater treatment provider that it has inadequate capacity to serve the project's projected demand, generate solid waste in excess of local capacity, or not comply with federal, state, and local solid waste regulations. Potential impacts to utilities are evaluated on the level at which the service is provided, which is generally citywide. As discussed above, the proposed project would result in less than significant impacts to utilities with mitigation incorporated.

Potential development under the proposed project could result in residential, commercial, and mixed-use development projects being constructed concurrently with, and in proximity to, other land use and

development projects in the City of Bishop as shown in Table 4-1. Each cumulative project would result in a small but incremental impact to utilities. All projects in the City of Bishop, including the proposed project and the cumulative projects considered in this analysis, would be subject to the General Plan policies that require projects to demonstrate adequate utility infrastructure prior to project approval. As discussed above in Impact UTL-3, the City may not have adequate wastewater capacity to serve additional development and while improvements to the City's wastewater system are planned, they have not yet been implemented. The proposed project in combination with the cumulative projects considered as part of this analysis may have a potentially significant impact on the City's wastewater system. However, with the implementation of Mitigation Measure UTL-1, this impact would be less than significant.

Significance without Mitigation: Potentially significant impact.

See Impact UTL-3 for Mitigation Measure UTL-1.

Significance with Mitigation: Less than significant impact.

References

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4.20 Wildfire

This section describes the regulatory framework and existing conditions related to wildfire hazards and risks in the vicinity of the proposed project, evaluates the potential impacts to wildfire hazards and risks that could occur as a result of the proposed project, and details mitigation measures needed to reduce significant impacts, as necessary.

4.20.1 Environmental Setting

4.20.1.1 Regulatory Framework

Federal Regulations

Disaster Mitigation Act of 2000

The Disaster Mitigation Act of 2000 provides the legal basis for FEMA's mitigation planning requirements for state, local, and tribal governments as a precursor to mitigation grant assistance. The Disaster Mitigation Act of 2000 requires that local governments prepare a Local Hazard Mitigation Plan that must be reviewed by the State Mitigation Officer, approved by FEMA, and renewed every 5 years. The plan must include a planning process, a risk assessment, a mitigation strategy, and plan maintenance and updating procedures to identify the natural hazards, risks, and vulnerabilities of the area under the jurisdiction of the government. Natural hazards include earthquakes, tsunamis, tornadoes, hurricanes, flooding, and wildfires.

State Regulations

California Fire Code

The California Fire Code (CFC) is Part 9 of California Code of Regulations (CCR) Title 24, Building Standards Code. The CFC includes provisions and standards for emergency planning and preparedness, fire service features, fire protection systems, hazardous materials, fire flow requirements, fire hydrant locations and distribution, and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildfire hazard areas. Chapter 49 of the CFC contains requirements for Wildland-Urban Interface (WUI) areas and prescribes construction materials and methods in fire hazard severity zones; requirements generally parallel California Building Code (CBC) Chapter 7A. The CFC is updated on a three-year cycle; the current 2019 CFC took effect in January 2020.

California Public Resources Code

California Public Resources Code (PRC) Sections 4291 *et seq*. require that brush, flammable vegetation, or combustible growth within 100 feet of buildings be removed. Vegetation that is more than 30 feet from the building, less than 18 inches high, and important for soil stability, may be maintained; as may single specimens of trees or other vegetation that are maintained so as to manage fuels and not form a means of rapid fire transmission from other nearby vegetation to a structure. Requirements regarding hazardous vegetation and fuel management are also contained in Sections 4906 and 4907 of the CFC.

State Responsibility Areas (SRAs) are defined by PRC Section 4102 as areas of the State in which the Board of Forestry and Fire Protection has determined that the financial responsibility for preventing and suppressing fires lies with the State of California. SRAs are lands in California where the California

Department of Forestry and Fire Protection (CAL FIRE) has legal and financial responsibility for wildfire protection. SRA lands typically are unincorporated areas of a county, are not federally owned, have wildland vegetation cover, have housing densities lower than three units per acre, and have watershed or range/forage value. In practice, some local government agencies (in this case, local volunteer fire districts), may also provide first due direct protection of some SRAs in coordination with their local CAL FIRE unit. PRC 4202 directs lands within SRAs to be classified into fire hazard severity zones (FHSZ).

Federal Responsibility Areas (FRA) are lands owned and managed by the federal government, which bears regulatory and financial responsibility for wildfire prevention and suppression on those lands. The majority of lands in Inyo County are FRAs.

Local Responsibility Areas (LRA) include lands that do not meet criteria for SRAs or FRAs, or are lands in incorporated areas, cultivated agricultural lands, and nonflammable areas in the unincorporated parts of a county. LRAs can include flammable vegetation and wildland-urban interface areas. LRA fire protection is provided by city or local fire departments, fire protection districts, county fire departments, or by contract with CAL FIRE.

PRC Section 4290 requires the California Board of Forestry and Fire Protection to adopt regulations implementing minimum fire safety standards for defensible space that would be applicable to lands within SRAs and lands within very high fire hazard severity zones (VHFHSZ) of LRAs.

Government Code 51177: Very High Fire Hazard Severity Zones

VHFHSZs are defined by Government Code Section 51177 as areas designated by the Director of Forestry and Fire Protection as having the highest possibility of having wildfires. These zones are based on consistent statewide criteria and the severity of fire hazard that is expected to prevail in those areas. The zones are also based on fuel loading, slope, fire weather, and other factors, such as wind, that have been identified by CAL FIRE as a major cause of the spreading of wildfires. FHSZ maps are produced and maintained for each county.

Senate Bill 1241 (Statutes of 2012, Kehoe)

Senate Bill 1241 revised the safety element requirements for counties and cities with State Responsibility Areas (SRA) and/or VHFHZs of LRAs within their boundaries. The bill requires that any revisions of a general plan's housing element after January 2014 must also include the revision and updating of the safety element, as necessary, to address the risk of fire in SRAs and VHFHSZs of LRAs.

2018 California Strategic Fire Plan

The Board of Forestry and Fire Protection's Strategic Fire Plan provides an overall vision for a built and natural environment that is more fire resilient through coordination and partnerships of local, state, federal, tribal, and private entities. First developed in the 1930s, the Strategic Fire Plan is periodically updated; the current plan was prepared in 2018. The Plan analyzes and addresses the effects of climate change, overly dense forests, prolonged drought, tree mortality, and increased severity of wildland fires through goals and strategies. The primary goals of the 2018 Strategic Fire Plan are to do the following.

- Improve the availability and use of consistent, shared information on hazard and risk assessment.

- Promote the role of local planning processes, including general plans, new development, and existing developments, and recognize individual landowner/homeowner responsibilities.
- Foster a shared vision among communities and the multiple fire protection jurisdictions, including county-based plans and community-based plans such as Community Wildfire Protection Plans.
- Increase awareness and actions to improve fire resistance of man-made assets at risk and fire resilience of wildland environments through natural resource management.
- Integrate implementation of fire and vegetative fuels management practices consistent with the priorities of landowners or managers.
- Determine and seek the needed level of resources for fire prevention, natural resource management, fire suppression and related services.
- Implement needed assessments and actions for post-fire protection and recovery.

Local Regulations

Bishop General Plan

The Safety Element of the City of Bishop's General Plan contains the following policies related to wildfire (City of Bishop 1993):

- The City's water systems shall be designed and developed in include fire hydrants, storage and fire flows which meet the appropriate standards for the type and intensity of land use.
- Assure that adequate staffing, training, and education is maintained for public safety organizations, including police, fire, and public works departments.

Inyo County Emergency Operations Plan

The Inyo County Emergency Operations Plan, adopted 2016, establishes the necessary emergency management organization and assigns functions and tasks consistent with California's Standardized Emergency Management System (SEMS) and National Incident Management System (NIMS). The plan provides for the integration and coordination of planning efforts of the County/Operational Area with those of its city, special districts, and the state region. The plan provides a framework for assessing threats and scenarios, preparing for emergencies, and responding to emergencies including wildfire.

Community Wildfire Protection Plan

The Community Wildfire Protection Plan (CWPP) for Inyo County, adopted in April 2009, provides a comprehensive analysis of wildfire hazards and risks in the wildland-urban interface of Inyo County. The CWPP assesses the hazards and risks to define "areas of concern" for Inyo County and allows for prioritization of mitigation efforts. The plan also offers solutions and mitigation that will aid homeowners, land managers, and other interested parties in developing short-term and long-term fuels and fire management plans.

4.20.1.2 Existing Conditions

The Eastern Sierra wildland fire season normally lasts from mid-June through early October, although drought years or unusual weather may extend that period (Inyo County 2016). Extreme conditions occur during periods of low humidity, low fuel moisture (percentage of water in vegetation), and high winds. Lightning is a major cause of wildfire, but human causes are also common and can include unattended

campfires, ignitions from transportation incidents (e.g., chains dragging and creating sparks, auto accidents, parking vehicles with hot engines on dry grass, etc.), and the spread of structure, vehicle, or trash fires to adjacent wildlands.

Fire organizations in the Inyo County – federal, state, and local – are trained and ready to help each other under mutual aid agreements. Federal and state agencies have extensive agreements to provide assistance during major incidents. These agencies maintain Incident Command teams that are ready to respond to large fires or complexes. Local fire departments elect an Operational Area Fire & Rescue Coordinator (usually one of the fire chiefs), who can request firefighting and rescue resources from CalOES Mutual Aid Region VI when local resources are not enough (Inyo County 2016).

In Inyo County, the vast majority of wildland fire suppression is the responsibility of the US Forest Service (USFS), Bureau of Land Management (BLM), National Park Service (NPS), other federal resources, and CAL FIRE. The local USFS resources protect lands within Inyo National Forest. BLM resources protect lands owned or managed by that agency. NPS provides wildland fire protection for Death Valley National Park and Manzanar Historic Site. CAL FIRE protects areas, mostly in the Owens Valley, designated as state responsibility areas. Local volunteer fire protection districts provide protection to communities within the County, some of which also include SRAs. In these areas, CAL FIRE and local resources may both respond to incidents.

These federal and state agencies provide the following resources during the declared fire season (Inyo County 2016):

- USFS staffs five fire stations and one helicopter.
- BLM maintains three fire stations.
- CAL FIRE staffs two fire stations, a fire dozer, and five hand crews.
- NPS staffs two wildland engines in Death Valley National Park; one of these is available for out-of-park assignments. NPS has a structure fire protection brigade with two additional engines.
- The Naval Weapons Center at the southern end of the County has its own fire department.
- An interagency dispatch center is located at the Inyo NF Supervisor's Office in Bishop. An additional interagency dispatch center in San Bernardino may provide support for major incidents.

Inyo County is located within the CAL FIRE San Bernardino/Inyo/Mono Unit (BDU). Given that most land in the County is federally owned, only two CAL FIRE BDU stations are located in the County: the CAL FIRE BDU Independence Fire Station, located at 250 East Park Street, Independence, CA, and the CAL FIRE BDU Bishop Fire Station, located at 2784 South Round Valley Road, Bishop, CA. The project area and the entire City of Bishop is located within a LRA (CAL FIRE 2021).

The Bishop Fire Department is a cooperation between the Bishop Rural Fire Protection District and the City of Bishop that provides fire protection and other emergency services in the Bishop area (City of Bishop 2021). The City of Bishop Fire Department provides fire protection service within the City limits, and therefore would provide fire protection services in the project area. The Bishop Rural Fire

Protection District serves the unincorporated areas surrounding the City. The Bishop Fire Department also serves the Bishop Paiute Reservation under contract with the Tribe. As a result, the Department's service area includes Bishop, West Bishop, North Bishop, the Bishop Paiute Reservation, Rocking K, Laws, and Wilkerson. While the departments are separately funded, the two entities are organized and effectively operate as one fire department, providing mutual aid within the Bishop area. The Bishop Fire Department is staffed by volunteers under one full-time, appointed Fire Chief and one part-time paid Assistant Chief (City of Bishop 1993). The Department has a substantial amount of equipment at its disposal, ranging from rapid response mini-pumpers to semi-truck tankers. The Bishop Fire Department also serves the Bishop Paiute Reservation under contract with the Tribe. As a result, the Department's service area includes Bishop, West Bishop, North Bishop, the Bishop Paiute Reservation, Rocking K, Laws, and Wilkerson (City of Bishop 2021). As a cooperation between the Bishop Rural Fire Protection District and the City of Bishop, the Department works under both the District Board and the City Council. The Department operates three stations in and around the City of Bishop.

The City of Bishop Fire Department's station is located at 209 West Line Street. The Bishop Rural Fire Protection District has two stations: one in West Bishop at 2300 West Line Street adjacent to the County maintenance center and one at 2190 North Sierra Highway. In the Safety Element of the 1993 General Plan, the Fire Chief indicates that the Department has emergency vehicles rolling within one minute of an alarm, with a maximum response time of approximately 5-8 minutes for areas in or adjacent to the City of Bishop (City of Bishop 1993).

4.20.2 Significance Thresholds

According to Appendix G of the CEQA Guidelines, the following criteria may be considered for lands located in or near SRAs or areas classified as very high FHSZs in establishing the significance of Wildfire:

1. Substantially impair an adopted emergency response plan or emergency evacuation plan;
2. 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;
3. 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;
4. Expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

4.20.3 Impact Analysis

FIRE-1 The proposed project would not substantially impair an adopted emergency response plan or emergency evacuation plan.

The proposed project includes a range of mobility recommendations aimed at creating a pedestrian-friendly downtown environment and accommodating alternative modes of transportation, such as widening sidewalks, improving crosswalks and curbs, and creating priority bike corridors. However, all such improvements would comply with requirements for emergency access such as appropriate turning radiuses for fire trucks. Moreover, the proposed Specific Plan and Mixed-Use Overlay zoning would require building construction to meet fire code requirements, and would have fire hydrants consistent with the standards of the City; such hydrants would assist with fire suppression efforts if a fire were to

occur in or near the project area. While the proposed project does include some changes to City streets, it does not include any changes to public streets, roads, or evacuation infrastructure that would impair the implementation of the Inyo County EOP or CWPP. The project area evaluated in this EIR has multiple potential routes of ingress and egress, along with nearby access to US Highway 395, which is a major north/south route through the County and could serve as an evacuation route if needed. Additionally, all parcels in the project area also have access to other routes of travel to evacuate the areas if a portion of US Highway 395 were to become unusable. Therefore, the proposed project would not impair an adopted emergency response or evacuation plan or access routes within Inyo County, and any impacts would be less than significant.

Significance without Mitigation: Less than significant impact.

FIRE-2 Due to slope, prevailing winds, and other factors, the project would not exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

The risk of wildfire is related to a variety of parameters, including fuel loading (vegetation), fire weather (winds, temperatures, humidity levels and fuel moisture contents) and topography (degree of slope). Steep slopes contribute to fire hazard by intensifying the effects of wind and making fire suppression difficult. Fuels such as grass are highly flammable because they have a high surface area to mass ratio and require less heat to reach the ignition point. The area evaluated in this EIR is located in downtown Bishop and is bordered by developed areas of the City on all sides. The project area is located in an area that is predominantly urban, including many commercial and residential uses, which is not considered at a significant risk to wildfire. There are no steep slopes on or near the project area. Fuels bordering the project area include alkali meadow and non-native grassland. Any development taking place as the result of the proposed project would be required to comply with all CBC and SRA regulations to maintain fire safety, site access, water supply, and defensible space. By complying with these requirements, any future development on the site would not significantly exacerbate wildfire risk. The project area is provided with adequate levels of fire protection, with the nearest local fire stations located within the Specific Plan and Mixed-Use Overlay zone at 209 W Line Street. US Highway 395, a major north/south route through the County which could be used as an emergency evacuation route if needed, runs through the center of the project area. The proposed action would not significantly exacerbate wildfire risks or significantly increase the exposure of any potential future occupants of the site to risks from wildfire. Impacts would be less than significant.

Significance without Mitigation: Less than significant impact.

FIRE-3 The proposed project would not 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.

The project area is located in downtown Bishop and is already developed with adequate infrastructure to support further development under the proposed project. The project does not include the construction of fuel breaks, emergency water sources, or power lines. Natural vegetation bordering the project area consists primarily of alkali meadow and non-native grassland. Any development on the

parcels would be required to comply with all CBC and SRA regulations to maintain fire safety, site access, water supply, and defensible space. As noted above, the proposed Specific Plan and Mixed-Use Overlay zoning would require fire hydrants consistent with the standards of the City, and such fire hydrants would assist with fire suppression efforts if there was a fire to occur. Compliance with these requirements, and maintenance of defensible space, would adequately reduce risk of wildfire to the parcels. Additional fuelbreaks or other infrastructure offsite would not be required. The parcel would be served by extensions of existing utilities, and would not require the installation of utilities that may exacerbate fire risk. Any impacts would be less than significant.

Significance without Mitigation: Less than significant impact.

FIRE-4 The proposed project would not 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.

The project area is not located within a 100-year floodplain; all areas within the project Specific Plan and Mixed-Use Overlay zone boundaries have a less than 1 percent annual chance of flooding (FEMA 2021). Due to the relatively flat topography of the project area, stormwater infrastructure that would be installed if needed as part of any further development, and lack of change in topography and vegetation, the proposed project would not result in substantial runoff, post-fire slope instability or drainage changes and therefore would not expose people or structures to significant risks from flooding or slope instability in the aftermath of a wildland fire. Therefore, impacts would be less than significant.

Significance without Mitigation: Less than significant impact.

4.20.4 Cumulative Impacts

FIRE-5 The proposed project would not contribute to a significant cumulative impact with respect to wildfire.

The areas considered for cumulative impacts related to wildfire are the SRAs which include the project area and cumulative projects. As shown in Table 4-1 City of Bishop Cumulative Projects List, nine projects are proposed in and around the City of Bishop. Two of the projects included in this list are housing developments within the Bishop city limits, the Silverpeaks Affordable Housing Project and the Kingston Subdivision. The Inyo County Vacant Lands Inventory project proposes zoning and General Plan land use amendments to allow for additional housing development on parcels adjacent to the City of Bishop. The Bishop Paiute Tribe Hotel project proposes to add a hotel to the existing casino in Bishop. Other cumulative projects include the City of Bishop 2021 Housing Element Update, the expansion of commercial airline service at Bishop Airport, located to the east of the City, and several small public works projects such as sewer trunk and bridge replacement.

The proposed project and other cumulative projects would involve the addition of new residents to the area, expansion of the airport, the addition of a hotel to an existing casino, and small public works projects; however, the proposed project and other cumulative projects would not include components that would exacerbate wildfire risk. The City and other project applicants would be required to coordinate with CAL FIRE to ensure firefighter access in an emergency and provide training and planning to manage on-site vegetation to minimize fire risk and keep emergency fire kits on-site during project

construction and operation of the projects included in the cumulative list. Projects would be required to install and maintain a fire prevention and automatic sprinkler system in compliance with the Uniform Fire Code. Additionally, similar to the proposed project, the other cumulative projects would be required to comply with the CFC, California Building Code, the California PRC, and other State and local regulations that would ensure adequate evacuation capabilities in the area.

Compliance with these requirements would reduce cumulative impacts relating to wildfire hazards and emergency response. Accordingly, the development and approval of the other cumulative projects would not result in a cumulatively significant impact to wildfire hazards, and impacts from the proposed project would not be cumulatively considerable. Therefore, approval of the proposed project would not contribute to a significant cumulative increase in wildland fire hazards in the immediate vicinity of the project parcels or throughout the City, and the potential for cumulative impacts associated with wildfire hazards would be less than significant.

Significance without Mitigation: Less than significant impact.

4.20.5 References

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5.0 PROJECT ALTERNATIVES

This chapter of the EIR evaluates whether there may be feasible alternatives to the proposed project that could avoid or substantially lessen any of the identified significant effects of the project as proposed. Section 15126.6(a), Consideration and Discussion of Alternatives to the Project, of the CEQA Guidelines states that:

> An EIR shall describe a range of reasonable alternatives to the project, or the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

The following discussion is intended to inform the public and decision makers of a reasonable range of feasible alternatives to the proposed project that would avoid or substantially lessen any significant effect of the proposed project. This section describes the purpose of the alternative's discussion; provides a summary of the reasonable range of alternatives, including a summary of potentially significant impacts and the relationship of each alternative to the project objectives; and, as required, identifies the environmentally superior alternative.

5.1 RATIONALE FOR ALTERNATIVE SELECTION

Section 15126.6(c) of the CEQA Guidelines states:

> The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.

According to the CEQA Guidelines Section 15364, feasibility is defined as:

> [The capability] of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.

5.2 PROJECT OBJECTIVES AND SIGNIFICANT IMPACTS

As described in Chapter 3.0, Project Description, the following objectives have been established for the proposed project:

- Growth Management and Housing
    - **Objective 1:** Allow for and encourage a broader mix of uses in downtown, while respecting the existing surroundings, scenery, and views.
    - **Objective 2:** Establish clear, quantitative standards to ensure that future development that occurs within downtown is consistent with the community's vision.
    - **Objective 3:** Maximize opportunities for higher-density and increased housing opportunities in the downtown area.
- Mobility Enhancements
    - **Objective 4:** Create a pedestrian-friendly environment to direct residents and visitors to downtown businesses.
    - **Objective 5:** Accommodate alternative transportation modes (e.g., pedestrian, bicycle) to reduce downtown congestion.
- Downtown Character
    - **Objective 6:** Enhance the visual and aesthetic appeal of the downtown.
    - **Objective 7:** Assure that new construction, restoration, and rehabilitation projects are compatible with the character of downtown.

As described in Section 4.1, the proposed project would result in significant and unavoidable impacts to Aesthetics, and no feasible mitigation measures have been identified to reduce the potential aesthetic impacts to less than significant levels.

5.3 ALTERNATIVES CONSIDERED BUT REJECTED AS INFEASIBLE

Bishop Downtown Bypass

In 2007, a Bishop Area Access & Feasibility Study was prepared by Caltrans District 9 to assess how to improve circulation and safety for all modes of transportation in the downtown area of Bishop, accommodate commercial truck traffic for US Highway 395 and US Highway 6, plan for downtown improvements along with rerouting truck traffic, to facilitate ground access improvements to the airport and its associated development improvements, and to keep services in downtown Bishop visible for through-traffic on any route with easy on/off connections (Caltrans 2007).

The results of the study recommended that a two-lane eastern alternative truck route (hereafter referred to as the Downtown Bishop Bypass) beginning somewhere between Gerkin Road and Schober Lane and connecting back to US Highway 6 and US Highway 395 at the Wye Road location. This new

route should be developed as a City/County road built to Caltrans standards in order to allow the City of Bishop and Inyo County the option to exchange this route for Main Street/US Highway 395 in the future. The study determined that this would accomplish reducing the amount of commercial truck traffic downtown, accommodate access to the airport, and minimize negative economic impacts in comparison to the other alternatives considered.

Although the study recommended a two-lane eastern alternative truck route, implementation of the eastern alternative truck route would require the reservation or acquisition of right-of-way for a full 4-lane facility. Additionally, this alternative route alone would not provide enough of a decrease in traffic volumes to allow for downtown improvements that would result in significant operational changes to Main Street/US Highway 395. The City would need to make additional significant changes to local circulation patterns in order to reduce local traffic volumes on Main Street/US Highway 395 to the point that operational changes could be made. The Downtown Bishop Bypass would have the ability to remove nearly all through trucks from Main Street/US Highway 395 from the alignment's departure point up to the US Highway 395/US Highway 6 junction.

However, this alternative would impact wetlands, and if wetland mitigation would be required, the existing Federal policy of zero wetland loss may significantly impact the construction of this alternative truck route. Additionally, the City/County do not currently own or control all the lands within the Downtown Bishop Bypass corridor and implementation of the project would require the reservation or acquisition of land for right-of-way of a full 4-lane facility (Caltrans 2007). Finally, Section 15126.6(f)(2) of the CEQA Guidelines states that:

> "The key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project would need to be considered for inclusion in the EIR."

Because the eastern alternative truck route includes the development of a new two-lane transportation corridor that would bypass the Bishop downtown area, consideration of this alternative would eliminate the significant and unavoidable impact to aesthetics. Although this alternative would eliminate the significant and unavoidable impact identified for the proposed project, the project alternatives considered in Section 5.4, Alternatives Analysis, would similarly reduce the significant and unavoidable aesthetic impact to less than significant, and development or improvements proposed within the downtown Bishop area are managed by the City, which makes the project action alternatives considered feasible and warrants rejection of this alternative for further consideration. Additionally, the Downtown Bishop Bypass alternative would result in, at a minimum, more substantial impacts to agricultural resources (acquisition and development of agricultural lands), biological resources (impacts to wetlands), land use and planning (land acquisition), population and housing (demolition of existing structures), and public utilities (relocation of existing utilities) than the proposed project. Therefore, no additional alternatives were evaluated in detail for the proposed project, and no further discussion is warranted.

5.4 ALTERNATIVES ANALYSIS

This EIR analyzes four project alternatives, the No Project Alternative, Low Development Alternative, Medium Development Alternative, and Restricted Height Development Alternative in detail to compare

to the proposed project because of their potential to reduce the potential impacts. The four alternatives are discussed in more detail in the following subsections.

5.4.1 No Project Alternative

This alternative is required under Section 15126.6(e) of the CEQA Guidelines and represents a possible scenario that could occur if the proposed project is not approved. Under the No Project Alternative, the Downtown Bishop Specific Plan and Mixed-Use Overlay Zone would not be implemented, and it is assumed that residential development in the City of Bishop would continue at its current rate. As discussed in Section 4.14, Population and Housing, the City of Bishop added a total of twelve housing units between 2010 and 2020. The majority of the housing units developed in that ten-year span were multi-family housing with 2-4 units, which accounted for ten of the twelve new units built during this period. Therefore, under the No Project Alternative, it is assumed that approximately 24 housing units would be developed in the City of Bishop over the next 20 years, and approximately 20 of those 24 housing units would be multi-family units. Given that the average household size in Bishop is 2.25 persons per household, the total number of residents that the No Project Alternative would provide housing for is approximately 54 people.

5.4.2 Restricted Height Development Alternative

The Restricted Height Development Alternative considers a high development scenario that restricts allowable building height to two stories. This alternative represents an estimate of the total dwelling unit count if a high level of development were to occur within the project area in the 20 years following selection and implementation of the alternative. This alternative represents an extremely active development community and a large number of processed applications. Under the Restricted Height Development Alternative, it is assumed that 25 percent of all parcels within the Specific Plan Area (including the area that also falls within the Mixed-Use Overlay Zone) would be developed to include two additional units on each of those parcels. Under this alternative, a total of 346 new dwelling units would be added to the Specific Plan area during the 20 years following selection and implementation of the alternative.

The Mixed-Use Overlay Zone would not be implemented as part of this alternative as it would allow for less restrictive height requirements. Therefore, the total number of additional units that may be developed under this alternative is 346 multi-family units. Over the 20-year horizon of the project, this would result in approximately 18 additional units developed per year. Given that the average household size in Bishop is 2.25 persons per household, the total number of residents that this alternative would provide housing for is approximately 779 people.

5.4.3 Medium Development Alternative

The Medium Development Alternative represents an estimate of the total dwelling unit count if a medium level of development were to occur within the project area in the 20 years following selection and implementation of the alternative. This alternative represents an active development community and a moderate number of processed applications. Under the Medium Development Alternative, it is assumed that 15 percent of all parcels within the Specific Plan Area (not including the area that also falls within the Mixed-Use Overlay Zone) would be developed to include two additional units on each of those parcels. Under this alternative, a total of 128 new dwelling units would be added to the Specific Plan area during the 20 years following selection and implementation of the alternative.

It is also assumed that within the Mixed-Use Overlay Zone, which has more potential density due to less restrictive height restrictions, an estimated 25 percent of all parcels could be developed with an additional two residential units per parcel. Under this alternative, a total of 133 new dwelling units would be added to the Mixed-Use Overlay Zone during the 20 years following selection and implementation of the alternative.

The total number additional units that may be developed in both the Specific Plan area and Mixed-Use Overlay Zone under this alternative is 261 units. Over the 20-year horizon of the project, this would result in approximately 13 additional units developed per year. Given that the average household size in Bishop is 2.25 persons per household, the total number of residents that this alternative would provide housing for is approximately 588 people.

5.4.4 Low Development Alternative

The Low Development Alternative represents an estimate of the total dwelling unit count if a low level of development were to occur within the project area in the 20 years following selection and implementation of the alternative. This alternative represents a moderately active development community and a low number of processed applications. Under the Low Development Alternative, it is assumed that 5 percent of all parcels within the Specific Plan Area (not including the area that also falls within the Mixed-Use Overlay Zone) would be developed to include two additional units on each of those parcels. Under this alternative, a total of 43 new dwelling units would be added to the Specific Plan area during the 20 years following alternative selection and implementation.

It is also assumed that within the Mixed-Use Overlay Zone, which has more potential density due to less restrictive height restrictions, an estimated 15 percent of all parcels could be developed with an additional two residential units per parcel. Under this alternative, a total of 80 new dwelling units would be added to the Mixed-Use Overlay Zone during the 20 years following alternative selection and implementation.

The total number additional units that may be developed in both the Specific Plan area and Mixed-Use Overlay Zone under this alternative is 123 units. Over the 20-year horizon of the project, this would result in approximately six additional units developed per year. Given that the average household size in Bishop is 2.25 persons per household, the total number of residents that this alternative would provide housing for is approximately 277 people.

5.4.5 Assumptions and Methodology

The alternatives analysis compares the impacts of the alternatives to the proposed project. The No Project Alternative assumes that residential development in the City of Bishop would continue at its current rate and that approximately 24 housing units would be developed over the next 20 years. The Restricted Height Development Alternative is similar to the proposed project, but the alternative would restrict the allowable height of buildings to just two stories and provide 346 dwelling units. The Medium Development Alternative is similar to the proposed project, but the alternative would represent moderate development activity with a moderate number of applications processed and provide 261 dwelling units. The Low Development Alternative is similar to the proposed project, but the alternative would represent moderate development activity with a moderate number of applications processed and provide 123 dwelling units.

As described in Section 4.4, Biological Resources, Section 4.5, Cultural Resources, Section 4.7, Geology and Soils, Section 4.10, Hydrology and Water Quality, Section 4.13, Noise, Section 4.18, Tribal Cultural Resources, and Section 4.19, Utilities and Service Systems, mitigation measures would be required to reduce potentially significant impacts for the proposed project. Additionally, this EIR concluded in Section 4.1, Aesthetics, that the proposed project would result in significant and unavoidable impacts.

The following analysis compares the potentially significant environmental impacts of the project alternatives with the project-related impacts for each of the environmental topics analyzed in detail in Sections 4.1 through 4.20 of this EIR. Table 5-1 summarizes the impacts of each of the alternatives compared to the proposed project.

Table 5-1
COMPARISON OF PROJECT ALTERNATIVES

Topic	No Project Alternative	Restricted Height Development Alternative	Medium Development Alternative	Low Development Alternative
Aesthetics	-	-	=	=
Agriculture and Forestry Resources	=	=	=	=
Air Quality	-	-	-	-
Biological Resources	-	=	-	-
Cultural Resources	-	=	-	-
Energy	-	-	-	-
Geology and Soils	-	=	-	-
Greenhouse Gas Emissions	-	-	-	-
Hazards and Hazardous Materials	-	=	-	-
Hydrology and Water Quality	-	=	-	-
Land Use and Planning	-	-	=	=
Mineral Resources	=	=	=	=
Noise	-	=	-	-
Population and Housing	-	-	-	-
Public Services	-	-	-	-
Recreation	-	-	-	-
Transportation	-	-	-	-
Tribal Cultural Resources	-	=	-	-
Utilities and Service Systems	-	-	-	-
Wildfire	+	=	-	-

Notes:
- \- Reduced impact in comparison to the proposed project.
- = Similar impacts in comparison to the proposed project.
- \+ Greater impact, or loss of beneficial impact, in comparison to the proposed project.

5.5 COMPARATIVE IMPACT ANALYSIS

5.5.1 No Project Alternative

Under the No Project Alternative, it is assumed that residential development in the City of Bishop would continue at its current rate, and approximately 24 housing units would be developed in the City of Bishop over the next 20 years. Given that the average household size in Bishop is 2.25 persons per

household, the total number of residents that the No Project Alternative would provide housing for is approximately 54 people.

5.5.1.1 Aesthetics

The proposed project would result in significant and unavoidable impacts on aesthetics. Scenic vistas could be impeded at several vantage points by future development associated with the proposed project. The proposed project may substantially damage or alter scenic resources along the portion of the US Highway 395 that is eligible to be designated as a State scenic highway and transects the Plan area. Development projects in the Plan area would be infill development with potentially taller buildings that could obstruct or alter the quality of public views. The anticipated increase of building intensity in the Plan area as a result of the project could result in a substantial change to ambient nighttime lighting currently experienced in the City.

Under the No Project Alternative, it is assumed that residential development in the City of Bishop would continue at its current rate, and approximately 24 housing units would be developed in the City of Bishop over the next 20 years. Building intensity is not anticipated to increase under the No Project Alternative resulting in substantial impacts to scenic vistas, scenic resources along a designated State scenic highway, visual quality of the area, or nighttime light, and impacts would be less than significant.

5.5.1.2 Agriculture and Forestry Resources

There are no parcels within the boundaries of the Downtown Bishop Specific Plan and Mixed-Use Overlay that are located on Important Farmland, within a Williamson Act contract, on forest or timberland, or would convert forest land. Furthermore, none of the parcels included in the proposed project are currently in agricultural production or zoned for agricultural use. Therefore, implementation of the Specific Plan and overlay would not convert existing farmland, forest land, or timberland to non-agricultural or non-forest uses, and there would be no impact to agriculture and forestry resources.

Overall, both the No Project Alternative and the proposed project would have no impact to agriculture or forestry resources, and the No Project Alternative would have similar impacts to the proposed project.

5.5.1.3 Air Quality

As discussed in Section 4.3, Air Quality, the proposed project would have a less than significant impact on the implementation of an applicable air quality plan, net increase of criteria pollutants for which the project region is in non-attainment, and exposure of sensitive receptors to DPM, CO, or odors.

Under the No Project Alternative, it is assumed that residential development in the City of Bishop would continue at its current rate, and approximately 24 housing units would be developed in the City of Bishop over the next 20 years. The No Project Alternative would result in less development and less short-term construction and long-term operation impacts compared 373 multi-family housing units planned as part of the proposed project. Therefore, the No Project Alternative would have less air quality impacts compared to the proposed project.

5.5.1.4 Biological Resources

The proposed project would result in potentially significant impacts to biological resources that would be mitigated to below a level of significance. As discussed in Section 4.4, Biological Resources, the proposed project could have potentially significant impacts to special-status plant, fish, and bat species, Swainson's hawk, Owens Valley vole, nesting birds, and jurisdictional waters and sensitive natural communities. However, with implementation of mitigation measures identified in Section 4.4, all potentially significant impacts would be reduced to a less than significant level. Impacts related to interference with movement of native resident wildlife species or with established native resident or migratory wildlife corridors and conflicts with local policies or ordinances protecting biological resources would be less than significant.

Under the No Project Alternative, it is assumed that residential development in the City of Bishop would continue at its current rate, and approximately 24 housing units would be developed in the City of Bishop over the next 20 years. Depending on the site to be developed, mitigation measures identified in Section 4.4, Biological Resources, for the proposed project may apply to the No Project Alternative. However, overall, the No Project Alternative would result in less development and have less biological resources impacts than the proposed project.

5.5.1.5 Cultural Resources

As discussed in Section 4.5, Cultural Resources, one historic-era resource, the Kittie Lee Inn, was located within the project's APE. The Copper Kettle Restaurant and Charlie's Room bar were added to the property in 1946, prior to the Inn's demolition in 1965, and were later renamed the Whiskey Creek Restaurant and Bar. Although this resource is listed as a California Point of Historical Interest the extant structures have not been evaluated for inclusion in the CRHR. Should the resource prove to qualify as a historical resource under CEQA it could be directly affected by implementation of the proposed project, resulting in a potentially significant impact. If unknown historical resources cannot be avoided, substantial adverse changes to the significance of historical resources resulting from implementation of the proposed project would be reduced to below the level of significance with mitigation. Additionally, impacts from future development within the Specific Plan and Mixed-Use Overlay Zone that could inadvertently damage unknown archaeological resources and/or human remains would be less than significant with mitigation.

Under the No Project Alternative, it is assumed that residential development in the City of Bishop would continue at its current rate, and approximately 24 housing units would be developed in the City of Bishop over the next 20 years. Depending on the site to be developed, mitigation measures identified in Section 4.5, Cultural Resources, for the proposed project may apply to the No Project Alternative. However, overall, the No Project Alternative would result in less development and have less potential for impacts to cultural resources compared to the proposed project.

5.5.1.6 Energy

The proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy resources or conflict with or obstruct State or local plans for renewable energy or energy efficiency, and impacts would be less than significant.

Overall, the No Project Alternative would result in less development and have less energy impacts than the proposed project.

5.5.1.7 Geology and Soils

The proposed project, with implementation of mitigation measures, would have a less than significant impact involving rupture of known earthquake fault, strong seismic ground shaking, or seismic-related ground failure, including liquefaction or landslides, unstable geologic or soil units, and paleontological resources. The proposed project would have a less than significant or no impact involving soil erosion, expansive soils, or loss of topsoil and soils to adequately support septic tanks or alternative wastewater disposal.

Under the No Project Alternative, it is assumed that residential development in the City of Bishop would continue at its current rate, and approximately 24 housing units would be developed in the City of Bishop over the next 20 years. All mitigation measures identified in Section 4.7, Geology and Soils, for the proposed project would apply to the No Project Alternative. However, overall, the No Project Alternative would result in less development and less geology and soils impacts compared to the proposed project.

5.5.1.8 Greenhouse Gas Emissions

As discussed in Section 4.8, Greenhouse Gas (GHG) Emissions, the proposed project would have a less than significant impact on direct or indirect GHG emissions and plans, policies, and regulations related to GHG emission reductions.

Overall, the No Project Alternative would result in less development and have less GHG emissions impacts than the proposed project.

5.5.1.9 Hazards and Hazardous Materials

The proposed project would have a less than significant impact on hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials, or reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school, regarding hazardous sites pursuant to Section 65962.5 of the California Government Code, airport related safety hazards or excessive noise, and adopted emergency response plan or emergency evacuation plans.

Overall, the No Project Alternative would result in less development and have less hazards and hazardous materials impacts than the proposed project.

5.5.1.10 Hydrology and Water Quality

The proposed project, with mitigation, would have a less than significant impact regarding water quality standards, waste discharge requirements, or degradation of surface or groundwater quality. The proposed project would have a less than significant impact on groundwater supplies or interference with groundwater recharge, the alteration of the drainage patterns on site, release of pollutants due to flood hazard, tsunami, or seiche, and water quality control plans or sustainable groundwater management plans.

Under the No Project Alternative, it is assumed that residential development in the City of Bishop would continue at its current rate, and approximately 24 housing units would be developed in the City of

Bishop over the next 20 years. All mitigation measures identified in Section 4.10, Hydrology and Water Quality, for the proposed project would apply to the No Project Alternative. However, overall, the No Project Alternative would result in less development and less hydrology and water quality impacts compared to the proposed project.

5.5.1.11 Land Use and Planning

The proposed project would have no impact on dividing an established community. City approval of the proposed project would adopt the Downtown Bishop Specific Plan and Mixed-Use Overlay zone, resulting in less than significant land use and planning impacts.

Although the proposed project would result in less than significant impacts to land use and planning, the No Project Alternative would not result in the adoption of the Specific Plan and Mixed-Use Overlay zone. Therefore, the No Project Alternative would result in fewer land use and planning impacts than the proposed project.

5.5.1.12 Mineral Resources

The proposed project would have no impact on mineral resources. The proposed project would not 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 or affect any plan-identified mineral resource recovery site.

The No Project Alternative would have similar impacts compared to the proposed project.

5.5.1.13 Noise

Exposure of people to excessive groundborne vibrations or noise levels during project operation, substantial permanent increase in ambient noise levels in the project vicinity, and cumulative impacts would be less than significant with the proposed project. Construction activities under the proposed project could expose people to unacceptable noise and vibration levels during the construction periods; however, these impacts would be reduced to less than significant levels with the implementation of mitigation measures.

Under the No Project Alternative, it is assumed that residential development in the City of Bishop would continue at its current rate, and approximately 24 housing units would be developed in the City of Bishop over the next 20 years. All mitigation measures identified in Section 4.13, Noise, for the proposed project would apply to the No Project Alternative. However, overall, the No Project Alternative would result in less development and less noise impacts compared to the proposed project.

5.5.1.14 Population and Housing

The proposed project would not create substantial unplanned population growth because it would support the goals and policies of the General Plan Housing Element and Land Use Element, would help the City meet its RHNA requirements, and provide residences for the existing population of the City of Bishop. No existing residents or housing would be displaced by the proposed project. Therefore, the proposed project would have less than significant or no impacts to population and housing.

Under the No Project Alternative, it is assumed that residential development in the City of Bishop would continue at its current rate, and approximately 24 housing units would be developed in the City of

Bishop over the next 20 years. Although the proposed project would result in less than significant impacts to population and housing, the No Project Alternative would only provide housing for approximately 54 people compared to 840 people estimated for the proposed project. Therefore, the No Project Alternative would result in fewer population and housing impacts than the proposed project.

5.5.1.15 Public Services

The proposed project is assumed to be developed over the next 20 years, and demand for public services associated with the proposed project is not expected to contribute to substantial service demand increases for any public services including fire protection, police protection, schools, parks, or other public facilities.

Under the No Project Alternative, it is assumed that residential development in the City of Bishop would continue at its current rate, and approximately 24 housing units would be developed in the City of Bishop over the next 20 years. Although the proposed project would result in less than significant impacts to public services, the No Project Alternative would only provide housing for approximately 54 people compared to the 840 people that would be supported by the proposed project. Therefore, the No Project Alternative would result in fewer public services impacts than the proposed project.

5.5.1.16 Recreation

The proposed project would have less than significant impacts on existing neighborhood or regional parks and would not require the construction or expansion of recreational facilities. The proposed project could result in an increased use of existing recreational facilities and potentially lead to facility deterioration or degradation. However, the City of Bishop and the surrounding dispersed recreational areas in Inyo County provide ample opportunities for outdoor recreation, and it is not anticipated that the residents would cause significant deterioration to any one facility.

Overall, the No Project Alternative would result in less development and have less recreation impacts than the proposed project.

5.5.1.17 Transportation

The proposed project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities, substantially increase hazards due to a geometric design feature, or result in inadequate emergency access. There are, at a minimum, four existing bus stops either within the boundaries of or within 0.5 mile of the Plan area and Mixed-Use Overlay Zone that serve the City's Dial-A-Ride and/or Bishop Creek Shuttle, and impacts to Vehicle Miles Travelled (VMT) would be less than significant.

Like the proposed project, the No Project Alternative would not conflict with adopted policies and plans regarding public transit, bicycle, or pedestrian facilities, substantially increase hazards due to a geometric design feature, or result in inadequate emergency access. However, overall, the No Project Alternative would result in less development and is anticipated to have less VMT impacts than the proposed project.

5.5.1.18 Tribal Cultural Resources

The proposed project would not result in a significant impact on tribal cultural resources. Impacts from future development within the Specific Plan and Mixed-Use Overlay zone boundaries that could inadvertently damage unknown tribal cultural resources would be less than significant with mitigation.

Under the No Project Alternative, it is assumed that residential development in the City of Bishop would continue at its current rate, and approximately 24 housing units would be developed in the City of Bishop over the next 20 years. All mitigation measures identified in Section 4.18, Tribal Cultural Resources, for the proposed project would apply to the No Project Alternative. However, overall, the No Project Alternative would result in less development and is anticipated to have less tribal cultural resources impacts than the proposed project.

5.5.1.19 Utilities and Service Systems

Construction of the proposed project would result in less than significant impacts to water supply, electric power, natural gas, telecommunications, and solid waste utilities. The proposed project may exceed the capacity of a wastewater treatment provider and require the construction of new wastewater treatment facilities or expansion of existing facilities. Mitigation Measure UTL-1, which requires future project applicants to demonstrate that adequate wastewater treatment capacity exists prior to City issuance of grading permits, would be implemented to reduce this impact to a less than significant level.

Under the No Project Alternative, it is assumed that residential development in the City of Bishop would continue at its current rate, and approximately 24 housing units would be developed in the City of Bishop over the next 20 years. The mitigation measure identified in Section 4.19, Utilities and Service Systems, for the proposed project would apply to the No Project Alternative. However, overall, the No Project Alternative would result in less development and is anticipated to have less utilities and service systems impacts than the proposed project.

5.5.1.20 Wildfire

The project area and the entire City of Bishop is located within an LRA. The proposed project would not impair an adopted emergency response plan or emergency evacuation plan. Any future development on the project parcels would be required to comply with all California Building Code and LRA regulations to maintain fire safety, site access, water supply, and defensible space. By complying with these requirements, any future development within the Specific Plan and Mixed-Use Overlay zone boundaries would not significantly exacerbate wildfire risk. Additional fuel breaks or other infrastructure off-site would not be required, and the Specific Plan area would be served by extensions of existing utilities and not require the installation of utilities that may exacerbate fire risk.

Under the No Project Alternative, it is assumed that residential development in the City of Bishop would continue at its current rate, and approximately 24 housing units would be developed in the City of Bishop over the next 20 years. However, some of these housing units could be developed in more rural environs outside of City limits in surrounding areas more prone to potential impact due to wildfire. Consequently, the No Project Alternative could result in an exacerbation of significant wildfire impacts when compared to the proposed project.

5.5.1.21 Conclusion and Relationship to Project Objectives

The No Project Alternative would result in similar impacts to agriculture and forestry and mineral resources and fewer impacts to all other resources evaluated in this EIR when compared to the proposed project (with the exception of Wildfire, which would potentially realize a greater level of impact for this issue area). However, the No Project Alternative would not fulfill any of the project objectives to provide growth management and housing, mobility enhancement, and downtown character opportunities in the City of Bishop by adopting the Downtown Bishop Specific Plan and Mixed-Use Overlay zone to allow for and encourage a broader mix of uses in downtown, establishing quantitative standards for future development, maximizing opportunities for higher-density and increased housing opportunities in the downtown area, create a pedestrian-friendly environment in the downtown area, accommodate alternative modes of transportation to reduce congestion, enhance the visual appeal of the downtown area, and ensure new development is compatible with the development of the downtown area as described in Section 5.2, Project Objectives and Significant Impacts, because it would not adopt the Downtown Bishop Specific Plan and Mixed-Use Overlay zone and development would continue at its current rate.

5.5.2 Restricted Height Development Alternative

The Restricted Height Development Alternative considers a high development scenario that restricts allowable building height to two stories. Under this alternative, a total of 346 new dwelling units would be added to the Specific Plan area during the 20 years following selection and implementation of the alternative, and the total number of residents that this alternative would provide housing for is approximately 779 people.

5.5.2.1 Aesthetics

The proposed project would result in significant and unavoidable impacts on aesthetics. Scenic vistas could be impeded at several vantage points by future development associated with the proposed project. The proposed project may substantially damage or alter scenic resources along the portion of the US Highway 395 that is eligible to be designated as a State scenic highway and transects the Plan area. Development projects in the Plan area would be infill development with potentially taller buildings that could obstruct or alter the quality of public views. The anticipated increase of building intensity in the Plan area as a result of the project could result in a substantial change to ambient nighttime lighting currently experienced in the City.

The Restricted Height Development Alternative considers a high development scenario that restricts allowable building height to two stories, and approximately 346 housing units would be developed in the City of Bishop over the next 20 years. Under this alternative, the Mixed-Use Overlay District would not be implemented as it would allow for less restrictive building heights, and impacts to scenic vistas, scenic resources along a designated State scenic highway, visual quality of the area, or nighttime light would be less than significant.

5.5.2.2 Agriculture and Forestry Resources

There are no parcels within the boundaries of the Downtown Bishop Specific Plan and Mixed-Use Overlay that are located on Important Farmland, within a Williamson Act contract, on forest or timberland, or would convert forest land. Furthermore, none of the parcels included in the proposed project are currently in agricultural production or zoned for agricultural use. Therefore, implementation

of the Specific Plan and overlay would not convert existing farmland, forest land, or timberland to non-agricultural or non-forest uses, and there would be no impact to agriculture and forestry resources.

Overall, both the Restricted Height Development Alternative and the proposed project would have no impact to agriculture or forestry resources, and the Restricted Height Development Alternative would have similar impacts to the proposed project.

5.5.2.3 Air Quality

As discussed in Section 4.3, Air Quality, the proposed project would have a less than significant impact on the implementation of an applicable air quality plan, net increase of criteria pollutants for which the project region is in non-attainment, and exposure of sensitive receptors to DPM, CO, or odors.

The Restricted Height Development Alternative considers a high development scenario that restricts allowable building height to two stories, and approximately 346 housing units would be developed in the City of Bishop over the next 20 years. The Restricted Height Development Alternative would result in 27 fewer housing units to be developed in the future and fewer air quality impacts compared to the proposed project.

5.5.2.4 Biological Resources

The proposed project would result in potentially significant impacts to biological resources that would be mitigated to below a level of significance. As discussed in Section 4.4, Biological Resources, the proposed project could have potentially significant impacts to special-status plant, fish, and bat species, Swainson's hawk, Owens Valley vole, nesting birds, and jurisdictional waters and sensitive natural communities. However, with implementation of mitigation measures identified in Section 4.4, all potentially significant impacts would be reduced to a less than significant level. Impacts related to interference with movement of native resident wildlife species or with established native resident or migratory wildlife corridors and conflicts with local policies or ordinances protecting biological resources would be less than significant.

The Restricted Height Development Alternative considers a high development scenario that restricts allowable building height to two stories, and approximately 346 housing units would be developed in the City of Bishop over the next 20 years. Although the Restricted Height Development Alternative would result in 27 fewer housing units to be developed in the future, biological resources impacts would be similar to the proposed project. Additionally, all mitigation measures identified in Section 4.4, Biological Resources, for the proposed project would also apply to the Restricted Height Development Alternative.

5.5.2.5 Cultural Resources

As discussed in Section 4.5, Cultural Resources, one historic-era resource, the Kittie Lee Inn, was located within the project's APE. The Copper Kettle Restaurant and Charlie's Room bar were added to the property in 1946, prior to the Inn's demolition in 1965, and were later renamed the Whiskey Creek Restaurant and Bar. Although this resource is listed as a California Point of Historical Interest the extant structures have not been evaluated for inclusion in the CRHR. Should the resource prove to qualify as a historical resource under CEQA it could be directly affected by implementation of the proposed project, resulting in a potentially significant impact. If unknown historical resources cannot be avoided, substantial adverse changes to the significance of historical resources resulting from implementation of

the proposed project would be reduced to below the level of significance with mitigation. Additionally, impacts from future development within the Specific Plan and Mixed-Use Overlay Zone that could inadvertently damage unknown archaeological resources and/or human remains would be less than significant with mitigation.

The Restricted Height Development Alternative considers a high development scenario that restricts allowable building height to two stories, and approximately 346 housing units would be developed in the City of Bishop over the next 20 years. Although the Restricted Height Development Alternative would result in 27 fewer housing units to be developed in the future, cultural resources impacts would be similar to the proposed project.

5.5.2.6 Energy

The proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy resources or conflict with or obstruct State or local plans for renewable energy or energy efficiency, and impacts would be less than significant.

The Restricted Height Development Alternative considers a high development scenario that restricts allowable building height to two stories, and approximately 346 housing units would be developed in the City of Bishop over the next 20 years. The Restricted Height Development Alternative would result in 27 fewer housing units to be developed in the future and fewer energy impacts compared to the proposed project.

5.5.2.7 Geology and Soils

The proposed project, with implementation of mitigation measures, would have a less than significant impact involving rupture of known earthquake fault, strong seismic ground shaking, or seismic-related ground failure, including liquefaction or landslides, unstable geologic or soil units, and paleontological resources. The proposed project would have a less than significant or no impact involving soil erosion, expansive soils, or loss of topsoil and soils to adequately support septic tanks or alternative wastewater disposal.

The Restricted Height Development Alternative considers a high development scenario that restricts allowable building height to two stories, and approximately 346 housing units would be developed in the City of Bishop over the next 20 years. Although the Restricted Height Development Alternative would result in 27 fewer housing units to be developed in the future, geology and soils impacts would be similar to the proposed project. Additionally, all mitigation measures identified in Section 4.7, Geology and Soils, for the proposed project would apply to the Restricted Height Development Alternative.

5.5.2.8 Greenhouse Gas Emissions

As discussed in Section 4.8, Greenhouse Gas Emissions, the proposed project would have a less than significant impact on direct or indirect GHG emissions and plans, policies, and regulations related to GHG emission reductions.

The Restricted Height Development Alternative considers a high development scenario that restricts allowable building height to two stories, and approximately 346 housing units would be developed in the City of Bishop over the next 20 years. The Restricted Height Development Alternative would result in

27 fewer housing units to be developed in the future and fewer GHG emissions impacts compared to the proposed project.

5.5.2.9 Hazards and Hazardous Materials

The proposed project would have a less than significant impact on hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials, or reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school, regarding hazardous sites pursuant to Section 65962.5 of the California Government Code, airport related safety hazards or excessive noise, and adopted emergency response plan or emergency evacuation plans.

The Restricted Height Development Alternative considers a high development scenario that restricts allowable building height to two stories, and approximately 346 housing units would be developed in the City of Bishop over the next 20 years. Although the Restricted Height Development Alternative would result in 27 fewer housing units to be developed in the future, hazards and hazardous materials impacts would be similar to the proposed project.

5.5.2.10 Hydrology and Water Quality

The proposed project, with mitigation, would have a less than significant impact regarding water quality standards, waste discharge requirements, or degradation of surface or groundwater quality. The proposed project would have a less than significant impact on groundwater supplies or interference with groundwater recharge, the alteration of the drainage patterns on site, release of pollutants due to flood hazard, tsunami, or seiche, and water quality control plans or sustainable groundwater management plans.

The Restricted Height Development Alternative considers a high development scenario that restricts allowable building height to two stories, and approximately 346 housing units would be developed in the City of Bishop over the next 20 years. Although the Restricted Height Development Alternative would result in 27 fewer housing units to be developed in the future, hydrology and water quality impacts would be similar to the proposed project. Additionally, all mitigation measures identified in Section 4.10, Hydrology and Water Quality, for the proposed project would apply to the Restricted Height Development Alternative.

5.5.2.11 Land Use and Planning

The proposed project would have no impact on dividing an established community. City approval of the proposed project would adopt the Downtown Bishop Specific Plan and Mixed-Use Overlay zone, resulting in less than significant land use and planning impacts.

The Restricted Height Development Alternative considers a high development scenario that restricts allowable building height to two stories, and approximately 346 housing units would be developed in the City of Bishop over the next 20 years. Under the Restricted Height Development Alternative, the Mixed-Use Overlay Zone would not be implemented as part of this alternative as it would allow for less restrictive height requirements. Therefore, the Restricted Height Development Alternative would result in slightly fewer land use and planning impacts compared to the proposed project.

5.5.2.12 Mineral Resources

The proposed project would have no impact on mineral resources. The proposed project would not 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 or affect any plan-identified mineral resource recovery site.

The Restricted Height Development Alternative would have similar impacts compared to the proposed project.

5.5.2.13 Noise

Exposure of people to excessive groundborne vibrations or noise levels during project operation, substantial permanent increase in ambient noise levels in the project vicinity, and cumulative impacts would be less than significant with the proposed project. Construction activities under the proposed project could expose people to unacceptable noise and vibration levels during the construction periods; however, these impacts would be reduced to less than significant levels with the implementation of mitigation measures.

The Restricted Height Development Alternative considers a high development scenario that restricts allowable building height to two stories, and approximately 346 housing units would be developed in the City of Bishop over the next 20 years. Although the Restricted Height Development Alternative would result in 27 fewer housing units to be developed in the future, this alternative would represent a high development scenario and impacts would be similar to the proposed project. All mitigation measures identified in Section 4.13, Noise, for the proposed project would apply to the Restricted Height Development Alternative.

5.5.2.14 Population and Housing

The proposed project would not create substantial unplanned population growth because it would support the goals and policies of the General Plan Housing Element and Land Use Element, would help the City meet its RHNA requirements, and provide residences for the existing population of the City of Bishop. No existing residents or housing would be displaced by the proposed project. Therefore, the proposed project would have less than significant or no impacts to population and housing.

The Restricted Height Development Alternative considers a high development scenario that restricts allowable building height to two stories, and approximately 346 housing units would be developed in the City of Bishop over the next 20 years for approximately 779 residents. The Restricted Height Development Alternative would result in 27 fewer housing units to be developed in the future and fewer population and housing impacts compared to the proposed project.

5.5.2.15 Public Services

The proposed project is assumed to be developed over the next 20 years, and demand for public services associated with the proposed project is not expected to contribute to substantial service demand increases for any public services including fire protection, police protection, schools, parks, or other public facilities.

The Restricted Height Development Alternative considers a high development scenario that restricts allowable building height to two stories, and approximately 346 housing units would be developed in

the City of Bishop over the next 20 years for approximately 779 residents. The Restricted Height Development Alternative would result in 27 fewer housing units to be developed in the future and fewer public services impacts compared to the proposed project.

5.5.2.16 Recreation

The proposed project would have less than significant impacts on existing neighborhood or regional parks and would not require the construction or expansion of recreational facilities. The proposed project could result in an increased use of existing recreational facilities and potentially lead to facility deterioration or degradation. However, the City of Bishop and the surrounding dispersed recreational areas in Inyo County provide ample opportunities for outdoor recreation, and it is not anticipated that the residents would cause significant deterioration to any one facility.

Overall, the Restricted Height Development Alternative would have fewer recreation impacts to that of the proposed project, and impacts would be less than significant.

5.5.2.17 Transportation

The proposed project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities, substantially increase hazards due to a geometric design feature, or result in inadequate emergency access. There are, at a minimum, four existing bus stops either within the boundaries of or within 0.5 mile of the Plan area and Mixed-Use Overlay Zone that serve the City's Dial-A-Ride and/or Bishop Creek Shuttle, and impacts to VMT would be less than significant.

The Restricted Height Development Alternative considers a high development scenario that restricts allowable building height to two stories, and approximately 346 housing units would be developed in the City of Bishop over the next 20 years. Similar to the proposed project, the Restricted Height Development Alternative would not conflict with adopted policies and plans regarding public transit, bicycle, or pedestrian facilities, substantially increase hazards due to a geometric design feature, or result in inadequate emergency access. However, the Restricted Height Development Alternative would introduce fewer vehicle trips to or from areas within the City compared to the proposed project and would result in less transportation impacts.

5.5.2.18 Tribal Cultural Resources

The proposed project would not result in a significant impact on tribal cultural resources. Impacts from future development within the Specific Plan and Mixed-Use Overlay zone boundaries that could inadvertently damage unknown tribal cultural resources would be less than significant with mitigation.

The Restricted Height Development Alternative considers a high development scenario that restricts allowable building height to two stories, and approximately 346 housing units would be developed in the City of Bishop over the next 20 years. Although the Restricted Height Development Alternative would result in 27 fewer housing units to be developed in the future, tribal cultural resources impacts would be similar to the proposed project. However, all mitigation measures identified in Section 4.18, Tribal Cultural Resources, for the proposed project would also apply to the Restricted Height Development Alternative.

5.5.2.19 Utilities and Service Systems

Construction of the proposed project would result in less than significant impacts to water supply, electric power, natural gas, telecommunications, and solid waste utilities. The proposed project may exceed the capacity of a wastewater treatment provider and require the construction of new wastewater treatment facilities or expansion of existing facilities. Mitigation Measure UTL-1, which requires future project applicants to demonstrate that adequate wastewater treatment capacity exists prior to City issuance of grading permits, would be implemented to reduce this impact to a less than significant level.

The Restricted Height Development Alternative considers a high development scenario that restricts allowable building height to two stories, and approximately 346 housing units would be developed in the City of Bishop over the next 20 years for approximately 779 residents. The Restricted Height Development Alternative would result in 27 fewer housing units to be developed in the future and fewer utilities and service systems impacts compared to the proposed project.

5.5.2.20 Wildfire

The project area and the entire City of Bishop is located within an LRA. The proposed project would not impair an adopted emergency response plan or emergency evacuation plan. Any future development on the project parcels would be required to comply with all California Building Code and LRA regulations to maintain fire safety, site access, water supply, and defensible space. By complying with these requirements, any future development within the Specific Plan and Mixed-Use Overlay zone boundaries would not significantly exacerbate wildfire risk. Additional fuel breaks or other infrastructure off-site would not be required, and the Specific Plan area would be served by extensions of existing utilities and not require the installation of utilities that may exacerbate fire risk.

The Restricted Height Development Alternative considers a high development scenario that restricts allowable building height to two stories, and approximately 346 housing units would be developed in the City of Bishop over the next 20 years. Although the Restricted Height Development Alternative would result in 27 fewer housing units to be developed in the future, wildfire impacts would be similar to the proposed project.

5.5.2.21 Conclusion and Relationship to Project Objectives

The Restricted Height Development Alternative would result in similar impacts to agriculture and forestry, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, mineral resources, noise, tribal cultural resources, and wildfire, and fewer impacts to all other resources evaluated in this EIR when compared to the proposed project. However, the Restricted Height Development Alternative would eliminate the significant and unavoidable impact to aesthetics identified for the proposed project. The Restricted Height Development Alternative would fulfill six of the seven project objectives identified in Section 5.2, Project Objectives and Significant Impacts. This alternative would not fulfill Objective 3 to maximize opportunities for higher-density and increased housing opportunities in the downtown area.

5.5.3 Medium Development Alternative

The Medium Development Alternative represents an estimate of the total dwelling unit count if a medium level of development were to occur within the project area. Under this alternative, a total of

261 new dwelling units would be added to the Specific Plan area during the 20 years following selection and implementation of the alternative, and the total number of residents that this alternative would provide housing for is approximately 588 people.

5.5.3.1 Aesthetics

The proposed project would result in significant and unavoidable impacts on aesthetics. Scenic vistas could be impeded at several vantage points by future development associated with the proposed project. The proposed project may substantially damage or alter scenic resources along the portion of the US Highway 395 that is eligible to be designated as a State scenic highway and transects the Plan area. Development projects in the Plan area would be infill development with potentially taller buildings that could obstruct or alter the quality of public views. The anticipated increase of building intensity in the Plan area as a result of the project could result in a substantial change to ambient nighttime lighting currently experienced in the City.

The Medium Development Alternative represents an estimate of the total dwelling unit count if a medium level of development were to occur within the project area, and approximately 261 housing units would be developed in the City of Bishop over the next 20 years. Under this alternative, the Mixed-Use Overlay Zone would be implemented which allows for the development of taller buildings due to less restrictive height restrictions, and impacts would be significant and unavoidable similar to the proposed project.

5.5.3.2 Agriculture and Forestry Resources

There are no parcels within the boundaries of the Downtown Bishop Specific Plan and Mixed-Use Overlay that are located on Important Farmland, within a Williamson Act contract, on forest or timberland, or would convert forest land. Furthermore, none of the parcels included in the proposed project are currently in agricultural production or zoned for agricultural use. Therefore, implementation of the Specific Plan and overlay would not convert existing farmland, forest land, or timberland to non-agricultural or non-forest uses, and there would be no impact to agriculture and forestry resources.

Overall, both the Medium Development Alternative and the proposed project would have no impact to agriculture or forestry resources, and the Medium Development Alternative would have similar impacts to the proposed project.

5.5.3.3 Air Quality

As discussed in Section 4.3, Air Quality, the proposed project would have a less than significant impact on the implementation of an applicable air quality plan, net increase of criteria pollutants for which the project region is in non-attainment, and exposure of sensitive receptors to DPM, CO, or odors.

The Medium Development Alternative represents an estimate of the total dwelling unit count if a medium level of development were to occur within the project area, and approximately 261 housing units would be developed in the City of Bishop over the next 20 years. The Medium Development Alternative would result in 112 fewer housing units to be developed in the future and fewer air quality impacts compared to the proposed project.

5.5.3.4 Biological Resources

The proposed project would result in potentially significant impacts to biological resources that would be mitigated to below a level of significance. As discussed in Section 4.4, Biological Resources, the proposed project could have potentially significant impacts to special-status plant, fish, and bat species, Swainson's hawk, Owens Valley vole, nesting birds, and jurisdictional waters and sensitive natural communities. However, with implementation of mitigation measures identified in Section 4.4, all potentially significant impacts would be reduced to a less than significant level. Impacts related to interference with movement of native resident wildlife species or with established native resident or migratory wildlife corridors and conflicts with local policies or ordinances protecting biological resources would be less than significant.

The Medium Development Alternative represents an estimate of the total dwelling unit count if a medium level of development were to occur within the project area, and approximately 261 housing units would be developed in the City of Bishop over the next 20 years. The Medium Development Alternative would result in 112 fewer housing units to be developed in the future and fewer biological resources impacts. However, all mitigation measures identified in Section 4.4, Biological Resources, for the proposed project would also apply to the Medium Development Alternative.

5.5.3.5 Cultural Resources

As discussed in Section 4.5, Cultural Resources, one historic-era resource, the Kittie Lee Inn, was located within the project's APE. The Copper Kettle Restaurant and Charlie's Room bar were added to the property in 1946, prior to the Inn's demolition in 1965, and were later renamed the Whiskey Creek Restaurant and Bar. Although this resource is listed as a California Point of Historical Interest the extant structures have not been evaluated for inclusion in the CRHR. Should the resource prove to qualify as a historical resource under CEQA it could be directly affected by implementation of the proposed project, resulting in a potentially significant impact. If unknown historical resources cannot be avoided, substantial adverse changes to the significance of historical resources resulting from implementation of the proposed project would be reduced to below the level of significance with mitigation. Additionally, impacts from future development within the Specific Plan and Mixed-Use Overlay Zone that could inadvertently damage unknown archaeological resources and/or human remains would be less than significant with mitigation.

The Medium Development Alternative represents an estimate of the total dwelling unit count if a medium level of development were to occur within the project area, and approximately 261 housing units would be developed in the City of Bishop over the next 20 years. The Medium Development Alternative would result in 112 fewer housing units to be developed in the future and fewer cultural resources impacts.

5.5.3.6 Energy

The proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy resources or conflict with or obstruct State or local plans for renewable energy or energy efficiency, and impacts would be less than significant.

The Medium Development Alternative represents an estimate of the total dwelling unit count if a medium level of development were to occur within the project area, and approximately 261 housing units would be developed in the City of Bishop over the next 20 years. The Medium Development

Alternative would result in 112 fewer housing units to be developed in the future and fewer energy impacts compared to the proposed project.

5.5.3.7 Geology and Soils

The proposed project, with implementation of mitigation measures, would have a less than significant impact involving rupture of known earthquake fault, strong seismic ground shaking, or seismic-related ground failure, including liquefaction or landslides, unstable geologic or soil units, and paleontological resources. The proposed project would have a less than significant or no impact involving soil erosion, expansive soils, or loss of topsoil and soils to adequately support septic tanks or alternative wastewater disposal.

The Medium Development Alternative represents an estimate of the total dwelling unit count if a medium level of development were to occur within the project area, and approximately 261 housing units would be developed in the City of Bishop over the next 20 years. The Medium Development Alternative would result in 112 fewer housing units to be developed in the future and fewer geology and soils impacts. However, all mitigation measures identified in Section 4.7, Geology and Soils, for the proposed project would apply to the Medium Development Alternative.

5.5.3.8 Greenhouse Gas Emissions

As discussed in Section 4.8, Greenhouse Gas Emissions, the proposed project would have a less than significant impact on direct or indirect GHG emissions and plans, policies, and regulations related to GHG emission reductions.

The Medium Development Alternative represents an estimate of the total dwelling unit count if a medium level of development were to occur within the project area, and approximately 261 housing units would be developed in the City of Bishop over the next 20 years. The Medium Development Alternative would result in 112 fewer housing units to be developed in the future and fewer GHG emissions impacts compared to the proposed project.

5.5.3.9 Hazards and Hazardous Materials

The proposed project would have a less than significant impact on hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials, or reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school, regarding hazardous sites pursuant to Section 65962.5 of the California Government Code, airport related safety hazards or excessive noise, and adopted emergency response plan or emergency evacuation plans.

The Medium Development Alternative represents an estimate of the total dwelling unit count if a medium level of development were to occur within the project area, and approximately 261 housing units would be developed in the City of Bishop over the next 20 years. The Restricted Height Development Alternative would result in 112 fewer housing units to be developed in the future and fewer hazards and hazardous materials impacts.

5.5.3.10 Hydrology and Water Quality

The proposed project, with mitigation, would have a less than significant impact regarding water quality standards, waste discharge requirements, or degradation of surface or groundwater quality. The proposed project would have a less than significant impact on groundwater supplies or interference with groundwater recharge, the alteration of the drainage patterns on site, release of pollutants due to flood hazard, tsunami, or seiche, and water quality control plans or sustainable groundwater management plans.

The Medium Development Alternative represents an estimate of the total dwelling unit count if a medium level of development were to occur within the project area, and approximately 261 housing units would be developed in the City of Bishop over the next 20 years. The Restricted Height Development Alternative would result in 112 fewer housing units to be developed in the future and fewer hydrology and water quality impacts. However, all mitigation measures identified in Section 4.10, Hydrology and Water Quality, for the proposed project would apply to the Restricted Height Development Alternative.

5.5.3.11 Land Use and Planning

The proposed project would have no impact on dividing an established community. City approval of the proposed project would adopt the Downtown Bishop Specific Plan and Mixed-Use Overlay zone, resulting in less than significant land use and planning impacts.

The Medium Development Alternative represents an estimate of the total dwelling unit count if a medium level of development were to occur within the project area, and approximately 261 housing units would be developed in the City of Bishop over the next 20 years. Both the Downtown Bishop Specific Plan and Mixed-Use Overlay Zone would be adopted as part of this alternative, and impacts to land use and planning would be similar to the proposed project.

5.5.3.12 Mineral Resources

The proposed project would have no impact on mineral resources. The proposed project would not 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 or affect any plan-identified mineral resource recovery site.

The Medium Development Alternative would have similar impacts compared to the proposed project.

5.5.3.13 Noise

Exposure of people to excessive groundborne vibrations or noise levels during project operation, substantial permanent increase in ambient noise levels in the project vicinity, and cumulative impacts would be less than significant with the proposed project. Construction activities under the proposed project could expose people to unacceptable noise and vibration levels during the construction periods; however, these impacts would be reduced to less than significant levels with the implementation of mitigation measures.

The Medium Development Alternative represents an estimate of the total dwelling unit count if a medium level of development were to occur within the project area, and approximately 261 housing units would be developed in the City of Bishop over the next 20 years. All mitigation measures identified

in Section 4.13, Noise, for the proposed project would apply to the Medium Development Alternative. However, overall, the Medium Development Alternative would result in less development and less noise impacts compared to the proposed project.

5.5.3.14 Population and Housing

The proposed project would not create substantial unplanned population growth because it would support the goals and policies of the General Plan Housing Element and Land Use Element, would help the City meet its RHNA requirements, and provide residences for the existing population of the City of Bishop. No existing residents or housing would be displaced by the proposed project. Therefore, the proposed project would have less than significant or no impacts to population and housing.

The Medium Development Alternative represents an estimate of the total dwelling unit count if a medium level of development were to occur within the project area, and approximately 261 housing units would be developed in the City of Bishop over the next 20 years for approximately 588 residents. The Medium Development Alternative would result in 112 fewer housing units to be developed in the future and fewer population and housing impacts compared to the proposed project.

5.5.3.15 Public Services

The proposed project is assumed to be developed over the next 20 years, and demand for public services associated with the proposed project is not expected to contribute to substantial service demand increases for any public services including fire protection, police protection, schools, parks, or other public facilities.

The Medium Development Alternative represents an estimate of the total dwelling unit count if a medium level of development were to occur within the project area, and approximately 261 housing units would be developed in the City of Bishop over the next 20 years for approximately 588 residents. The Medium Development Alternative would result in 112 fewer housing units to be developed in the future and fewer public services impacts compared to the proposed project.

5.5.3.16 Recreation

The proposed project would have less than significant impacts on existing neighborhood or regional parks and would not require the construction or expansion of recreational facilities. The proposed project could result in an increased use of existing recreational facilities and potentially lead to facility deterioration or degradation. However, the City of Bishop and the surrounding dispersed recreational areas in Inyo County provide ample opportunities for outdoor recreation, and it is not anticipated that the residents would cause significant deterioration to any one facility.

Overall, the Medium Development Alternative would have fewer recreation impacts to that of the proposed project, and impacts would be less than significant.

5.5.3.17 Transportation

The proposed project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities, substantially increase hazards due to a geometric design feature, or result in inadequate emergency access. There are, at a minimum, four existing bus stops either within the boundaries of or within 0.5 mile of the Plan area and

Mixed-Use Overlay Zone that serve the City's Dial-A-Ride and/or Bishop Creek Shuttle, and impacts to VMT would be less than significant.

The Medium Development Alternative represents an estimate of the total dwelling unit count if a medium level of development were to occur within the project area, and approximately 261 housing units would be developed in the City of Bishop over the next 20 years. Similar to the proposed project, the Medium Development Alternative would not conflict with adopted policies and plans regarding public transit, bicycle, or pedestrian facilities, substantially increase hazards due to a geometric design feature, or result in inadequate emergency access. However, the Medium Development Alternative would introduce fewer vehicle trips to or from areas within the City compared to the proposed project and would result in less transportation impacts.

5.5.3.18 Tribal Cultural Resources

The proposed project would not result in a significant impact on tribal cultural resources. Impacts from future development within the Specific Plan and Mixed-Use Overlay zone boundaries that could inadvertently damage unknown tribal cultural resources would be less than significant with mitigation.

The Medium Development Alternative represents an estimate of the total dwelling unit count if a medium level of development were to occur within the project area, and approximately 261 housing units would be developed in the City of Bishop over the next 20 years. The Medium Development Alternative would result in 112 fewer housing units to be developed in the future and fewer tribal cultural resources impacts. However, all mitigation measures identified in Section 4.18, Tribal Cultural Resources, for the proposed project would also apply to the Medium Development Alternative.

5.5.3.19 Utilities and Service Systems

Construction of the proposed project would result in less than significant impacts to water supply, electric power, natural gas, telecommunications, and solid waste utilities. The proposed project may exceed the capacity of a wastewater treatment provider and require the construction of new wastewater treatment facilities or expansion of existing facilities. Mitigation Measure UTL-1, which requires future project applicants to demonstrate that adequate wastewater treatment capacity exists prior to City issuance of grading permits, would be implemented to reduce this impact to a less than significant level.

The Medium Development Alternative represents an estimate of the total dwelling unit count if a medium level of development were to occur within the project area, and approximately 261 housing units would be developed in the City of Bishop over the next 20 years for approximately 588 residents. The Medium Development Alternative would result in 112 fewer housing units to be developed in the future and fewer utilities and service systems impacts compared to the proposed project.

5.5.3.20 Wildfire

The project area and the entire City of Bishop is located within an LRA. The proposed project would not impair an adopted emergency response plan or emergency evacuation plan. Any future development on the project parcels would be required to comply with all California Building Code and LRA regulations to maintain fire safety, site access, water supply, and defensible space. By complying with these requirements, any future development within the Specific Plan and Mixed-Use Overlay zone boundaries would not significantly exacerbate wildfire risk. Additional fuel breaks or other infrastructure off-site

would not be required, and the Specific Plan area would be served by extensions of existing utilities and not require the installation of utilities that may exacerbate fire risk.

The Medium Development Alternative represents an estimate of the total dwelling unit count if a medium level of development were to occur within the project area, and approximately 261 housing units would be developed in the City of Bishop over the next 20 years. The Medium Development Alternative would result in 112 fewer housing units to be developed in the future and fewer wildfire impacts.

5.5.3.21 Conclusion and Relationship to Project Objectives

The Medium Development Alternative would result in similar impacts to aesthetics, agriculture and forestry, land use and planning, and mineral resources, and fewer impacts to all other resources evaluated in this EIR when compared to the proposed project. The Medium Development Alternative would not eliminate the significant and unavoidable impact to aesthetics as the development of taller buildings in the Mixed-Use Overlay Zone would be encouraged similar to the proposed project. The Medium Development Alternative would fulfill six of the seven project objectives identified in Section 5.2, Project Objectives and Significant Impacts. This alternative would not fulfill Objective 3 to maximize opportunities for higher-density and increased housing opportunities in the downtown area.

5.5.4 Low Development Alternative

The Low Development Alternative represents an estimate of the total dwelling unit count if a low level of development were to occur within the project area. Under this alternative, a total of 123 new dwelling units would be added to the Specific Plan area during the 20 years following selection and implementation of the alternative, and the total number of residents that this alternative would provide housing for is approximately 277 people.

5.5.4.1 Aesthetics

The proposed project would result in significant and unavoidable impacts on aesthetics. Scenic vistas could be impeded at several vantage points by future development associated with the proposed project. The proposed project may substantially damage or alter scenic resources along the portion of the US Highway 395 that is eligible to be designated as a State scenic highway and transects the Plan area. Development projects in the Plan area would be infill development with potentially taller buildings that could obstruct or alter the quality of public views. The anticipated increase of building intensity in the Plan area as a result of the project could result in a substantial change to ambient nighttime lighting currently experienced in the City.

The Low Development Alternative represents an estimate of the total dwelling unit count if a low level of development were to occur within the project area, and approximately 123 housing units would be developed in the City of Bishop over the next 20 years. Under this alternative, the Mixed-Use Overlay Zone would be implemented which allows for the development of taller buildings due to less restrictive height restrictions, and impacts would be significant and unavoidable similar to the proposed project.

5.5.4.2 Agriculture and Forestry Resources

There are no parcels within the boundaries of the Downtown Bishop Specific Plan and Mixed-Use Overlay that are located on Important Farmland, within a Williamson Act contract, on forest or

timberland, or would convert forest land. Furthermore, none of the parcels included in the proposed project are currently in agricultural production or zoned for agricultural use. Therefore, implementation of the Specific Plan and overlay would not convert existing farmland, forest land, or timberland to non-agricultural or non-forest uses, and there would be no impact to agriculture and forestry resources.

Overall, both the Low Development Alternative and the proposed project would have no impact to agriculture or forestry resources, and the Low Development Alternative would have similar impacts to the proposed project.

5.5.4.3 Air Quality

As discussed in Section 4.3, Air Quality, the proposed project would have a less than significant impact on the implementation of an applicable air quality plan, net increase of criteria pollutants for which the project region is in non-attainment, and exposure of sensitive receptors to DPM, CO, or odors.

The Low Development Alternative represents an estimate of the total dwelling unit count if a low level of development were to occur within the project area, and approximately 123 housing units would be developed in the City of Bishop over the next 20 years. The Low Development Alternative would result in 250 fewer housing units to be developed in the future and fewer air quality impacts compared to the proposed project.

5.5.4.4 Biological Resources

The proposed project would result in potentially significant impacts to biological resources that would be mitigated to below a level of significance. As discussed in Section 4.4, Biological Resources, the proposed project could have potentially significant impacts to special-status plant, fish, and bat species, Swainson's hawk, Owens Valley vole, nesting birds, and jurisdictional waters and sensitive natural communities. However, with implementation of mitigation measures identified in Section 4.4, all potentially significant impacts would be reduced to a less than significant level. Impacts related to interference with movement of native resident wildlife species or with established native resident or migratory wildlife corridors and conflicts with local policies or ordinances protecting biological resources would be less than significant.

The Low Development Alternative represents an estimate of the total dwelling unit count if a low level of development were to occur within the project area, and approximately 123 housing units would be developed in the City of Bishop over the next 20 years. The Low Development Alternative would result in 250 fewer housing units to be developed in the future and fewer biological resources impacts. However, all mitigation measures identified in Section 4.4, Biological Resources, for the proposed project would also apply to the Low Development Alternative.

5.5.4.5 Cultural Resources

As discussed in Section 4.5, Cultural Resources, one historic-era resource, the Kittie Lee Inn, was located within the project's APE. The Copper Kettle Restaurant and Charlie's Room bar were added to the property in 1946, prior to the Inn's demolition in 1965, and were later renamed the Whiskey Creek Restaurant and Bar. Although this resource is listed as a California Point of Historical Interest the extant structures have not been evaluated for inclusion in the CRHR. Should the resource prove to qualify as a historical resource under CEQA it could be directly affected by implementation of the proposed project, resulting in a potentially significant impact. If unknown historical resources cannot be avoided,

substantial adverse changes to the significance of historical resources resulting from implementation of the proposed project would be reduced to below the level of significance with mitigation. Additionally, impacts from future development within the Specific Plan and Mixed-Use Overlay Zone that could inadvertently damage unknown archaeological resources and/or human remains would be less than significant with mitigation.

The Low Development Alternative represents an estimate of the total dwelling unit count if a low level of development were to occur within the project area, and approximately 123 housing units would be developed in the City of Bishop over the next 20 years. The Low Development Alternative would result in 250 fewer housing units to be developed in the future and fewer cultural resources impacts.

5.5.4.6 Energy

The proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy resources or conflict with or obstruct State or local plans for renewable energy or energy efficiency, and impacts would be less than significant.

The Low Development Alternative represents an estimate of the total dwelling unit count if a low level of development were to occur within the project area, and approximately 123 housing units would be developed in the City of Bishop over the next 20 years. The Low Development Alternative would result in 250 fewer housing units to be developed in the future and fewer energy impacts compared to the proposed project.

5.5.4.7 Geology and Soils

The proposed project, with implementation of mitigation measures, would have a less than significant impact involving rupture of known earthquake fault, strong seismic ground shaking, or seismic-related ground failure, including liquefaction or landslides, unstable geologic or soil units, and paleontological resources. The proposed project would have a less than significant or no impact involving soil erosion, expansive soils, or loss of topsoil and soils to adequately support septic tanks or alternative wastewater disposal.

The Low Development Alternative represents an estimate of the total dwelling unit count if a low level of development were to occur within the project area, and approximately 123 housing units would be developed in the City of Bishop over the next 20 years. The Low Development Alternative would result in 250 fewer housing units to be developed in the future and fewer geology and soils impacts. However, all mitigation measures identified in Section 4.7, Geology and Soils, for the proposed project would apply to the Low Development Alternative.

5.5.4.8 Greenhouse Gas Emissions

As discussed in Section 4.8, Greenhouse Gas Emissions, the proposed project would have a less than significant impact on direct or indirect GHG emissions and plans, policies, and regulations related to GHG emission reductions.

The Low Development Alternative represents an estimate of the total dwelling unit count if a low level of development were to occur within the project area, and approximately 123 housing units would be developed in the City of Bishop over the next 20 years. The Low Development Alternative would result

in 250 fewer housing units to be developed in the future and fewer GHG emissions impacts compared to the proposed project.

5.5.4.9 Hazards and Hazardous Materials

The proposed project would have a less than significant impact on hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials, or reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school, regarding hazardous sites pursuant to Section 65962.5 of the California Government Code, airport related safety hazards or excessive noise, and adopted emergency response plan or emergency evacuation plans.

The Low Development Alternative represents an estimate of the total dwelling unit count if a low level of development were to occur within the project area, and approximately 123 housing units would be developed in the City of Bishop over the next 20 years. The Restricted Height Development Alternative would result in 250 fewer housing units to be developed in the future and fewer hazards and hazardous materials impacts.

5.5.4.10 Hydrology and Water Quality

The proposed project, with mitigation, would have a less than significant impact regarding water quality standards, waste discharge requirements, or degradation of surface or groundwater quality. The proposed project would have a less than significant impact on groundwater supplies or interference with groundwater recharge, the alteration of the drainage patterns on site, release of pollutants due to flood hazard, tsunami, or seiche, and water quality control plans or sustainable groundwater management plans.

The Low Development Alternative represents an estimate of the total dwelling unit count if a low level of development were to occur within the project area, and approximately 123 housing units would be developed in the City of Bishop over the next 20 years. The Restricted Height Development Alternative would result in 250 fewer housing units to be developed in the future and fewer hydrology and water quality impacts. However, all mitigation measures identified in Section 4.10, Hydrology and Water Quality, for the proposed project would apply to the Restricted Height Development Alternative.

5.5.4.11 Land Use and Planning

The proposed project would have no impact on dividing an established community. City approval of the proposed project would adopt the Downtown Bishop Specific Plan and Mixed-Use Overlay zone, resulting in less than significant land use and planning impacts.

The Low Development Alternative represents an estimate of the total dwelling unit count if a low level of development were to occur within the project area, and approximately 123 housing units would be developed in the City of Bishop over the next 20 years. Both the Downtown Bishop Specific Plan and Mixed-Use Overlay Zone would be adopted as part of this alternative, and impacts to land use and planning would be similar to the proposed project.

5.5.4.12 Mineral Resources

The proposed project would have no impact on mineral resources. The proposed project would not 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 or affect any plan-identified mineral resource recovery site.

The Low Development Alternative would have similar impacts compared to the proposed project.

5.5.4.13 Noise

Exposure of people to excessive groundborne vibrations or noise levels during project operation, substantial permanent increase in ambient noise levels in the project vicinity, and cumulative impacts would be less than significant with the proposed project. Construction activities under the proposed project could expose people to unacceptable noise and vibration levels during the construction periods; however, these impacts would be reduced to less than significant levels with the implementation of mitigation measures.

The Medium Development Alternative represents an estimate of the total dwelling unit count if a medium level of development were to occur within the project area, and approximately 261 housing units would be developed in the City of Bishop over the next 20 years. All mitigation measures identified in Section 4.13, Noise, for the proposed project would apply to the Medium Development Alternative. However, overall, the Medium Development Alternative would result in less development and less noise impacts compared to the proposed project.

5.5.4.14 Population and Housing

The proposed project would not create substantial unplanned population growth because it would support the goals and policies of the General Plan Housing Element and Land Use Element, would help the City meet its RHNA requirements, and provide residences for the existing population of the City of Bishop. No existing residents or housing would be displaced by the proposed project. Therefore, the proposed project would have less than significant or no impacts to population and housing.

The Low Development Alternative represents an estimate of the total dwelling unit count if a low level of development were to occur within the project area, and approximately 123 housing units would be developed in the City of Bishop over the next 20 years for approximately 277 residents. The Low Development Alternative would result in 250 fewer housing units to be developed in the future and fewer population and housing impacts compared to the proposed project.

5.5.4.15 Public Services

The proposed project is assumed to be developed over the next 20 years, and demand for public services associated with the proposed project is not expected to contribute to substantial service demand increases for any public services including fire protection, police protection, schools, parks, or other public facilities.

The Low Development Alternative represents an estimate of the total dwelling unit count if a low level of development were to occur within the project area, and approximately 123 housing units would be developed in the City of Bishop over the next 20 years for approximately 277 residents. The Low

Development Alternative would result in 250 fewer housing units to be developed in the future and fewer public services impacts compared to the proposed project.

5.5.4.16 Recreation

The proposed project would have less than significant impacts on existing neighborhood or regional parks and would not require the construction or expansion of recreational facilities. The proposed project could result in an increased use of existing recreational facilities and potentially lead to facility deterioration or degradation. However, the City of Bishop and the surrounding dispersed recreational areas in Inyo County provide ample opportunities for outdoor recreation, and it is not anticipated that the residents would cause significant deterioration to any one facility.

Overall, the Low Development Alternative would have fewer recreation impacts to that of the proposed project, and impacts would be less than significant.

5.5.4.17 Transportation

The proposed project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities, substantially increase hazards due to a geometric design feature, or result in inadequate emergency access. There are, at a minimum, four existing bus stops either within the boundaries of or within 0.5 mile of the Plan area and Mixed-Use Overlay Zone that serve the City's Dial-A-Ride and/or Bishop Creek Shuttle, and impacts to VMT would be less than significant.

The Low Development Alternative represents an estimate of the total dwelling unit count if a low level of development were to occur within the project area, and approximately 123 housing units would be developed in the City of Bishop over the next 20 years. Similar to the proposed project, the Low Development Alternative would not conflict with adopted policies and plans regarding public transit, bicycle, or pedestrian facilities, substantially increase hazards due to a geometric design feature, or result in inadequate emergency access. However, the Low Development Alternative would introduce fewer vehicle trips to or from areas within the City compared to the proposed project and would result in less transportation impacts.

5.5.4.18 Tribal Cultural Resources

The proposed project would not result in a significant impact on tribal cultural resources. Impacts from future development within the Specific Plan and Mixed-Use Overlay zone boundaries that could inadvertently damage unknown tribal cultural resources would be less than significant with mitigation.

The Low Development Alternative represents an estimate of the total dwelling unit count if a low level of development were to occur within the project area, and approximately 123 housing units would be developed in the City of Bishop over the next 20 years. The Low Development Alternative would result in 250 fewer housing units to be developed in the future and fewer tribal cultural resources impacts. However, all mitigation measures identified in Section 4.18, Tribal Cultural Resources, for the proposed project would also apply to the Low Development Alternative.

5.5.4.19 Utilities and Service Systems

Construction of the proposed project would result in less than significant impacts to water supply, electric power, natural gas, telecommunications, and solid waste utilities. The proposed project may exceed the capacity of a wastewater treatment provider and require the construction of new wastewater treatment facilities or expansion of existing facilities. Mitigation Measure UTL-1, which requires future project applicants to demonstrate that adequate wastewater treatment capacity exists prior to City issuance of grading permits, would be implemented to reduce this impact to a less than significant level.

The Low Development Alternative represents an estimate of the total dwelling unit count if a low level of development were to occur within the project area, and approximately 123 housing units would be developed in the City of Bishop over the next 20 years for approximately 277 residents. The Low Development Alternative would result in 250 fewer housing units to be developed in the future and fewer utilities and service systems impacts compared to the proposed project.

5.5.4.20 Wildfire

The project area and the entire City of Bishop is located within an LRA. The proposed project would not impair an adopted emergency response plan or emergency evacuation plan. Any future development on the project parcels would be required to comply with all California Building Code and LRA regulations to maintain fire safety, site access, water supply, and defensible space. By complying with these requirements, any future development within the Specific Plan and Mixed-Use Overlay zone boundaries would not significantly exacerbate wildfire risk. Additional fuel breaks or other infrastructure off-site would not be required, and the Specific Plan area would be served by extensions of existing utilities and not require the installation of utilities that may exacerbate fire risk.

The Low Development Alternative represents an estimate of the total dwelling unit count if a low level of development were to occur within the project area, and approximately 123 housing units would be developed in the City of Bishop over the next 20 years. The Low Development Alternative would result in 250 fewer housing units to be developed in the future and fewer wildfire impacts.

5.5.4.21 Conclusion and Relationship to Project Objectives

The Low Development Alternative would result in similar impacts to aesthetics, agriculture and forestry, land use and planning, and mineral resources, and fewer impacts to all other resources evaluated in this EIR when compared to the proposed project. The Low Development Alternative would not eliminate the significant and unavoidable impact to aesthetics as the development of taller buildings in the Mixed-Use Overlay Zone would be encouraged similar to the proposed project. The Low Development Alternative would fulfill six of the seven project objectives identified in Section 5.2, Project Objectives and Significant Impacts. This alternative would not fulfill Objective 3 to maximize opportunities for higher-density and increased housing opportunities in the downtown area.

5.6 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The environmentally superior alternative is the alternative expected to generate the least amount of significant impacts. In addition to the discussion and comparison of impacts of the project and the alternatives, Section 15126.6 of the CEQA Guidelines requires that an “environmentally superior”

alternative be identified. Identification of the environmentally superior alternative is an informational procedure and the alternative identified may not be the alternative that best meets the goals or needs of the City of Bishop.

As shown in Table 5-1, the No Project Alternative would result in fewer impacts than the proposed project as all impacts, except for agriculture and forestry resources and mineral resources, would be less than significant; the single exception would be for Wildlife, which would have a greater level of impact than the proposed project. The No Project Alternative is identified as an environmentally superior alternative. The No Project Alternative, however, would not meet the objectives of the proposed project. In accordance with CEQA Guidelines Section 15126.6(e)(2), if the environmentally superior alternative is the "No Project" alternative, the Draft EIR shall also identify an environmentally superior alternative among the other alternatives.

As discussed in Section 4.1, Aesthetics, the proposed project would result in significant and unavoidable impacts to aesthetics for encouraging the development of taller buildings in the Mixed-Use Overlay Zone than currently exists which would significantly alter views of scenic vistas, may substantially damage or alter scenic resources along the portion of the US 395 that is eligible to be designated as a State scenic highway and transects the Plan area, potentially degrade the visual character and quality of public views, and substantially impact nighttime views from the creation of additional light sources. Compared to the proposed project, only the Restricted Height Development Alternative would reduce the significant and unavoidable aesthetic impact from the proposed project to a less than significant impact. Therefore, the Restricted Height Development Alternative is the environmentally superior project alternative per CEQA Guidelines Section 15126.6(e)(2). Overall, the Restricted Height Development Alternative would meet six of the seven project objectives.

5.7 REFERENCES

California Department of Transportation (Caltrans). 2007. Bishop Area Access & Circulation Feasibility Study. Caltrans District 9. July 13.

6.0 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Section 15126.2(c) of the CEQA Guidelines requires an EIR to discuss the extent to which a proposed project or plan would commit nonrenewable resources to uses that future generation would probably be unable to reverse. Significant irreversible changes include the use of nonrenewable resources, the commitment of future generations to similar use, irreversible damage resulting from environmental accidents associated with the project, and irretrievable commitments of resources. The three CEQA-required categories of irreversible changes are discussed below.

6.1 LAND USE CHANGES THAT COMMIT FUTURE GENERATIONS

As discussed in Section 2.0 Project Location and Setting, the proposed project consists of the creation of a Specific Plan and Mixed-Use Overlay Zone in Downtown Bishop. The project site consists of a 302.4 acre developed area within the City of Bishop. Existing land uses include General Commercial, Parks and Open Space, Heavy Commercial, High Density Residential, Medium High Density Residential, and Medium Density Residential. Implementation of the proposed project would create a Specific Plan area and Mixed-Use Overlay Zone that would increase the allowable building heights and allowable density in this area. This area is already developed, but the increase in density would, from a practical perspective, be a significant and irreversible change.

6.2 IRREVERSIBLE DAMAGE FROM ENVIRONMENTAL ACCIDENTS

Potential environmental accidents of concern include those that would have adverse effects on the environment or public health due to the nature or quantity of material released during an accident and the receptors exposed to that release. Demolition and construction activities associated with development of the proposed project would involve some risk for environmental accidents. These activities would be monitored, however, by local, State, and federal agencies that would follow industry standards governing the use, storage, transport, and disposal of hazardous materials. Additionally, the proposed land use would not include any activities that are likely to contribute to or be the cause of significant environmental accident. As a result, the proposed project would not pose a substantial risk of environmental accidents.

6.3 LARGE COMMITMENT OF NON-RENEWABLE RESOURCES

The proposed project consists of the creation of a Specific Plan and Mixed-Use Overlay Zone in downtown Bishop. Implementation of the proposed project would allow for increased building height and massing as well as mixed-use development, the construction and operation of which will require the use and consumption of non-renewable resources such as steel and other metals used to construct the residential units. Renewable resources, such as lumber and other wood byproducts, will also be used. Unlike renewable resources, non-renewable resources cannot be regenerated.

Non-renewable resources include fossil fuels and metals. Energy will be consumed during both construction and operation of the development that would take place as a result of the proposed project. Construction would require the use of non-renewable construction material, such as concrete,

metals, and plastics. Non-renewable resources and energy would also be consumed during the manufacturing and transportation of building materials, preparation of the sites, and construction of the residential units. The operational phase will consume energy for multiple purposes including lighting and electronics. Energy in the form of fossil fuels will be used by vehicles traveling to and from the project area.

7.0 GROWTH INDUCEMENT

Section 15126.2(d) of the CEQA Guidelines requires that an EIR discuss the ways in which a proposed project or plan could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

A project could be considered to have growth-inducing effects if it: 1) either directly or indirectly fosters economic or population growth or the construction of additional housing in the surrounding area; 2) removes obstacles to population growth; 3) requires the construction of new community facilities that could cause significant environmental effects; or, 4) encourages and facilitates other activities that could significantly affect the environment, either individually or cumulatively. Growth-related impacts are those that are expected to occur later in time or are farther removed in distance, but which are still reasonably foreseeable.

A project's potential to induce growth does not automatically mean that it will result in growth. This potential growth-inducing effect is regulated by local governments in California through the development, adoption, and implementation of land use plans and policies intended to avoid or minimize the growth inducing potential or pressure created by projects, individually or cumulatively. Growth occurs through capital investment in new economic opportunities from both public and private entities. Development occurs as a result of economic investment in a particular region. New economic (i.e., employment) opportunities will naturally create the need for infrastructure to support an increased population.

Growth typically is the result of numerous factors that affect the location, size, direction, timing, type, and rate of population increase and does not necessarily result from a single project or factor. Such factors include local government planning, availability of public services, natural resources, the economic climate, and political and environmental concerns. Local planning agencies adopt and administer general and specific plans, zoning maps and ordinances, and other planning documents that contain policies and maps to identify the intensity and type of development allowed in specific locations.

Although local governments play a major role in growth management, the location and timing of growth also depends on economic factors such as the availability and cost of developable land, regional and national economic cycles, and mortgage interest rates and the demand for new housing. Political factors that affect growth include state and local laws that mandate businesses to comply with certain rules and regulations, permitting requirements that address environmental and community concerns, and tax incentives designed to attract businesses.

7.1 GROWTH INDUCING IMPACTS

Economic growth in a community that is caused by a project can induce secondary development or growth. The following discussion focuses on the proposed project's potential to result in physical changes in the environment, from development of new housing, employment, or infrastructure.

7.1.1 Additional Housing Growth

The proposed project would create a Specific Plan and Mixed-Use Overlay Zone in downtown Bishop that would increase allowable buildings heights, building densities, and allow for more mixed-use

development. As discussed in Chapter 3 Project Description, the city currently faces a housing shortage and one of the goals of the proposed project is to create housing opportunities to correct this shortfall and retain the City's existing population. As discussed in Section 3.4.3.1 High Development Scenario, the implementation of the proposed project could lead to the creation of up to 213 new dwelling units in the Specific Plan area during the 20 years following project implementation. The proposed project would directly induce housing growth by allowing for the development of these units within the Specific Plan Area. However, the proposed project would not include additional housing growth beyond what has been evaluated in the EIR as the proposed project.

7.1.2 Additional Economic Growth

Development of the proposed project will result in short-term economic growth for the area. These are short-term job directly tied to the construction phases of the project. It is expected that some of these jobs will be filled by local residents, employees, and suppliers already in the area, and some of the jobs may be filled by people who will temporarily transfer to the area during the construction phase. Given that these are temporary jobs, it would be speculative to assume that these jobs would induce substantial new housing or commercial development.

The proposed project would generate tax revenues for the City of Bishop. The project will require services that would increase expenditures for County departments. As discussed in Section 4.15 Public Services, all public facilities are adequate to serve the proposed project. Furthermore, the proposed project will be implemented over a period of 20 years and any increases in capacity for public services will take place gradually over that time period. Police protection would be provided by the Bishop Police Department, while fire protection services would be provided by the Bishop Fire Department. The proposed project would be adequately served by the existing fire protection, police protection, library, recreation, and other services provided by the City and would not require expansion of these services that could induce growth beyond the proposed project. As discussed in Section 4.19 Utilities and Service Systems, development resulting from the proposed project may require the expansion of wastewater treatment facilities. All other utilities including water supply, electric power, natural gas, and telecommunications facilities are adequate to serve the proposed project and would not require expansion which could potentially induce growth beyond the proposed project.

One of CEQA's primary purposes in addressing "growth inducing impacts" is to identify the environmental impacts or consequences of growth that results from implementing a project. To attempt to predict specifically where growth would occur would be speculative. It is known that this indirect growth could result in transportation, air quality, noise, and water quality impacts. These indirect impacts could also include indirect temporary construction impacts related to air quality, noise, and water quality. The severity of these impacts depends on the size and location of the induced growth. Based upon the limited amount of growth that could occur as a result of the proposed project, the proposed project would not result in a significant growth inducing impact.

8.0 SIGNIFICANT UNAVOIDABLE IMPACTS

8.1 BACKGROUND

Sections 21067, 15126(b), and 15126.2(b) of the CEQA Guidelines require that an EIR describe any potentially significant project impacts, including those that can be mitigated but not reduced to a less than significant level.

8.2 PROJECT SIGNIFICANT AND UNAVOIDABLE IMPACTS

This EIR identified the following significant and unavoidable impacts:

- **Aesthetics Impact:** Future development associated with the proposed project may impede views of scenic vistas from several vantage points. Scenic vistas surrounding the City of Bishop include views of the Sierras and the White Mountains, as well as expansive ranches and agricultural areas. Development within the Plan area would allow a building height of up to 48 feet, with pitched roof height up to 51 feet in some areas. The project would increase allowable building densities and building heights which would impact views of scenic vistas, an impact which would be significant and unavoidable.

9.0 LIST OF PREPARERS

This document has been completed by the City of Bishop, as CEQA Lead Agency for the proposed project, with support from the following organizations and professional staff:

ENVIRONMENTAL IMPACT REPORT

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