



# 6.0 CONSERVATION/OPEN SPACE

## 6.0.1 Introduction

This element presents goals, policies and implementation measures for several resource disciplines, including soils, agricultural resources, mineral and energy resources, water resources, biological resources, cultural resources, visual resources, and recreation.

This element is divided into the following eight topic areas:

- S Soils (Section 6.1)
- AG Agricultural Resources (Section 6.2)
- MER Mineral and Energy Resources (Section 6.3)
- WR Water Resources (Section 6.4)
- BIO Biological Resources (Section 6.5)
- CUL Cultural Resources (Section 6.6)
- VIS Visual Resources (Section 6.7)
- REC Recreation (Section 6.8)



# 6.1 SOILS

## 6.1.1 Definitions

In using this element and the goals, policies, and implementation measures that address issues related to soils, the following definitions will apply.

**Soil.** Soil is a layer of weathered, unconsolidated material on top of bedrock. Soil can also be described as containing organic matter and being capable of supporting plant life.

**Soil Types.** A variety of soil types exist in Inyo County. Soils are classified by a number of factors, including particle size; organic component; their mix of sand, silt, and clay materials; and the types of base materials which eroded to make the material.

## 6.1.2 Goals & Policies

<b>GOAL S-1</b>	Maintain the productivity of Inyo County’s soils.
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### **Policy S-1.1 Soil Conservation for Agriculture**

Encourage the conservation of agricultural soils to provide a base for agricultural productivity and the County’s economy.

### **Policy S-1.2 Agricultural Impacts to Soils**

Promote sound agricultural practices to help eliminate excessive erosion and buildup of salts.

<b>GOAL S-2</b>	Recognize development limitations of soil types in review and approval of future development projects to protect public health and safety.
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### **Policy S-2.1 Soil Erosion**

Minimize soil erosion from wind and water related to new development.



**Policy S-2.2 Soil Limitations**

Require low-density development in areas where soils have moderate or severe limitations for sewage disposal, unless infrastructure exists for a public sewer system.

**Policy S-2.3 Soil Instability**

In areas of unstable soils and/or steep terrain, the County shall limit the intensity of development in order to minimize the potential for erosion and landform instability.

**6.1.3 Implementation Measures**

Table 6-1, Soil Implementation Measures, identifies the implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

**Table 6-1. Soil Implementation Measures**

Implementation Measure	Implements What Policy	Who is Responsible	Timeframe		
			2012-2015	2015-2020	On-going
1.0 The County will work with the U.S. Department of Agriculture, the NRCS, and University of California Extension to ensure that farmers and ranchers have access to information and resources to best manage soil erosion and salt buildup.	S-1.1 S-1.2	Agricultural Commissioner	■		
2.0 <del>The County shall develop as part of their Zoning Ordinance guidelines for erosion control associated with grading activities in the County.</del>	<del>S-2.1</del>	<del>Planning</del>	<del>■</del>		
2.0 The County shall require erosion control measures for all grading activities to minimize the impact of soil erosion from water and wind.	S-2.1 S-2.3	Public Works			■



**Table 6-1. Soil Implementation Measures**

Implementation Measure	Implements		Timeframe		
	What Policy	Who is Responsible	2012-2015	2015-2020	On-going
<p>3.0 All development proposed to utilize septic systems shall comply with Environmental Health Department and LRWQCB requirements for siting and installation. Development of shared/community septic systems and in areas know to have septic tank failures shall be required to provide a soils test showing on-site and cumulative area capabilities to support the proposed system. Septic tanks on lots smaller than ½ acre are prohibited by LRWQCB.</p>	S-2.2	Building and Safety Environmental Health LRWQCB			■



## 6.2 Agricultural Resources

### 6.2.1 Definitions

In using this element and the goals, policies, and implementation measures that address issues related to agricultural resources, the following definitions will apply.

**Agricultural.** Agricultural activities are defined to include the production of food, feed, forage, fiber, and oilseed crops and are lands available for use as cropland, pastureland, rangeland, and commercial timber.

**Farmland of Local Importance.** Lands identified by the County as important to the local economy, but do not fall within prime farmland or farmland of statewide importance.

**Farmland of Statewide Importance.** Farmland of Statewide Importance are lands other than prime farmland that have a good combination of physical and chemical characteristics for producing food, feed, or fiber.

**Prime Farmland.** Prime farmland is land with the best combination of soil quality, water supply, and growing season needed to produce sustained high yields of agricultural crops. These lands are best suited for producing food, feed, or fiber and are also available for pastureland and rangeland.

**Williamson Act.** The Williamson Act, also know as the California Land Conservation Act, is a voluntary program that allows property owners to have their property assessed on the basis of agricultural production rather than current market value. The purpose of the Act is to encourage property owners to continue to use their property in agricultural activities to prevent their premature conversion to urban uses.

### 6.2.2 Goals & Policies

<b>GOAL AG-1</b>	Provide and maintain a viable and diverse agricultural industry in Inyo County.
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**Policy AG-1.1 Identify Important Agricultural Lands**

Support and encourage the identification of important agricultural lands within the County.



**Policy AG-1.2 Continue Agricultural Production**

Support and encourage continued agricultural production activities in the County

**Policy AG-1.3 Conversion of Agricultural Land**

Discourage conversions of productive agricultural lands for urban development.

**Policy AG-1.4 Minimize Land Conflicts**

Preserve and protect agricultural lands from encroachment by incompatible land uses.

**Policy AG-1.5 Education in Agronomics**

Support education programs in agricultural sciences to insure a future of well-trained agronomists and informed citizens.

**Policy AG-1.6 Public Lands for Agriculture**

Support the continued use and expansion of public lands for agricultural operations.

**Policy AG-1.7 LADWP Lands for Agriculture**

Work with LADWP to expand the County's agricultural base of cropland on identified arable lands to benefit the agricultural economy.

**Policy AG-1.8 Sustainable Agriculture**

Promote sustainable agricultural activities to lessen environmental impacts, such as:

- manage lands on a sustainable yield basis,
- encourage the use of reclaimed water for agricultural use where feasible, and/or be more efficient with irrigation water to conserve potable water, and
- rotate crop production to conserve soil characteristics.

## **6.2.3 Implementation Measures**

Table 6-2, Agricultural Resources Implementation Measures, identifies the implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.



**Table 6-2. Agricultural Resources Implementation Measures**

Implementation Measure	Implements What Policy	Who is Responsible	Timeframe		
			2012- 2015	2015- 2020	On- going
1.0   Work with the NRCS and the California Department of Conservation to complete studies needed to identify Prime Farmland and Farmland of Statewide Importance.	AG-1.1	Agricultural Commissioner		■	
	AG-1.3	<del>Farm Advisor</del> NRCS			
2.0   The County <del>shall</del> <u>may</u> develop a program to identify Farmland of Local Importance and shall maintain a diagram showing the location of these lands. Primary locations for these lands are in the Owens Valley and Sandy Valley areas.	AG-1.1	Agricultural Commissioner		■	
	AG-1.3	<del>Farm Advisor</del>			



**Table 6-2. Agricultural Resources Implementation Measures**

Implementation Measure	Implements What Policy	Who is Responsible	Timeframe		
			2012- 2015	2015- 2020	On- going
3.0   The County shall ensure that large land areas (40 acres minimum) that are identified as Prime Farmland, Farmland of Statewide Importance, or Farmland of Local Importance are maintained for agricultural operations.	AG-1.1 AG-1.2 AG-1.3	Agricultural Commissioner  Planning			■
The County <del>shall</del> <u>may</u> establish and promote a Williamson Act program for protection of these important agricultural lands.	AG-1.4				
4.0   New development proposals adjacent to agricultural operations shall be reviewed and mitigated to ensure that they do not significantly impact agricultural operations or lead to nuisance complaints from new residents.	AG-1.4	<del>Farm Advisor</del> Planning			■





**Table 6-2. Agricultural Resources Implementation Measures**

Implementation Measure	Implements What Policy	Who is Responsible	Timeframe		
			2012- 2015	2015- 2020	On- going
5.0 The County shall work with local universities and technical schools to encourage the provision of educational programs in agriculture.	AG-1.5	<del>Farm Advisor</del> <u>Agricultural Commissioner</u> Future Farmers of America 4-H			■
6.0 Work with public managers to coordinate and expand the use of public lands for agricultural activities where appropriate. Areas to encourage expansion would be lands identified as Prime Farmland or Farmland of Statewide Importance through Implementation Measure 1.0	AG-1.6	Agricultural Commissioner			■
7.0 Work with LADWP to expand agricultural opportunities as appropriate in areas identified as Prime Farmland or Farmland of Statewide Importance through Implementation Measure 1.0	AG-1.7	Planning <u>Agricultural Commissioner</u>		■	



**Table 6-2. Agricultural Resources Implementation Measures**

Implementation Measure	Implements What Policy	Who is Responsible	Timeframe		
			2012- 2015	2015- 2020	On- going
8.0 The County shall continue to support sustainable agriculture through programs offered by the Farm Advisor and Agriculture Commissioner's office.	AG-1.8	Agricultural Commissioner  <del>Farm Advisor</del>			■



## 6.3 MINERAL & ENERGY RESOURCES

### 6.3.1 Definitions

In using this element and the goals, policies, and implementation measures that address issues related to mineral and energy resources, the following definitions will apply.

**Geothermal Energy.** Geothermal energy is created by capturing steam that is created when water in the ground comes in contact with hot rocks underground and using this steam to run a turbine to generate electricity.

**Hydroelectric Energy.** Hydroelectric energy is generated by converting the movement of water into electricity. In Inyo County, many hydroelectric facilities are operated by piping water to a downhill location using the minimum grade necessary to keep the water moving, then letting the water fall (thereby increasing the water's speed) to a generating facility where the moving water turns a turbine and generates electricity.

**Mineral Resources.** Mineral resources are defined as naturally occurring materials in the earth that can be utilized for commercial purposes.

### 6.3.2 Goals & Policies

#### GOAL MER-1

Protect the current and future extraction of mineral resources that are important to the County's economy while minimizing impacts of this use on the public and the environment.

#### Policy MER-1.1 Resource Extraction and the Environment

Support the production of mineral resource where it would not significantly impact sensitive resources as defined by CEQA and this General Plan.

#### Policy MER-1.2 Minimize Land Conflicts

New mining operations shall be designed to provide a buffer between existing or likely adjacent uses to minimize incompatibility with nearby uses, and adequately mitigate their environmental and aesthetic impacts.



**Policy MER-1.3 SMARA Compliance**

The County shall ensure that all mining projects comply with the requirements of the California Surface Mining and Reclamation Act (SMARA), County ordinances, and any other applicable regulations. As part of this compliance, all mining operations shall prepare and implement reclamation plans that mitigate environmental impacts and incorporate adequate security to guarantee proposed reclamation.

**Policy MER-1.4 Environmental Contamination**

All mining operations will be required to take precautions to avoid contamination from wastes or incidents related to the storage and disposal of hazardous materials, or general operating activity at the site.

**Policy MER-1.5 Maintain Accessibility**

Ensure that extractive resource areas are protected from incompatible development that could interfere with extractive operations, now or in the future.

**6.3.3 Implementation Measures**

Table 6-3, Mineral and Energy Resources Implementation Measures, identifies implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

**Table 6-3. Mineral and Energy Resources Implementation Measures**

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe		
				2012-2015	2015-2020	On-going
1.0	The County shall ensure compliance with the California Environmental Quality Act (CEQA) on all mining projects (on private and LADWP-owned lands in the unincorporated portions of the County), including the proposal of adequate and feasible mitigations to reduce on-site and off-site impacts to less than significant levels.	MER-1.1 MER-1.2 MER-1.4	Planning Public Works			■



**Table 6-3. Mineral and Energy Resources Implementation Measures**

Implementation Measure	Implements What Policy	Who is Responsible	Timeframe		
			2012-2015	2015-2020	On-going
2.0 The County shall not permit mining operations in areas containing existing sensitive receptors, such as residences, schools, hospitals, and similar uses, unless it can be demonstrated that impacts would be less than significant, and/or mitigation measures are incorporated into the project design to ensure that impacts would not occur.	MER-1.1 MER-1.2 MER-1.4	Planning			■
3.0 For mining operations that involve heavy truck traffic, the County shall ensure that mitigations are in place to reduce adverse impacts from dust, noise, and erosion, and to also ensure that operations contribute equitably for the maintenance of public roads.	MER-1.1 MER-1.2	Building and Safety Public Works Planning			■
4.0 The County shall continue to review mining projects pursuant to the requirements of the SMARA, County ordinances, and any other applicable regulations.	MER-1.3	Planning State Dept. of Conservation, Office of Mine Reclamation			■
5.0 All mining operators will be required to submit operating plans that contain spill prevention control plans and other measures that identify structural and non-structural methods to reduce environmental impacts.	MER-1.4	Environmental Health Planning			■
6.0 The County shall review development proposals to ensure that they would not conflict with mineral resource extraction.	MER-1.5	Planning			■



**Table 6-3. Mineral and Energy Resources Implementation Measures**

	<b>Implementation Measure</b>	<b>Implements What Policy</b>	<b>Who is Responsible</b>	<b>Timeframe</b>		
				<b>2012- 2015</b>	<b>2015- 2020</b>	<b>On- going</b>
7.0	Discourage incompatible development on lands identified as containing significant mineral resources. Support uses that will not preclude future mining activities.	MER-1.5	Planning			■



# 6.4 Water Resources

## 6.4.1 Definitions

In using this element and the goals, policies, and implementation measures that address issues related to water resources, the following definitions will apply.

**Aquifer.** An aquifer is a body of saturated rock or sediment through which water can move readily. An aquifer is the underground area that stores groundwater resources.

**Groundwater Basin.** A groundwater basin is the aboveground area from which water flows or seeps into a particular aquifer or series of linked aquifers.

**Groundwater Transfer.** Groundwater transfer refers to the mechanical or artificial relocation of groundwater resources to a location outside the source location.

**Mining or Overdraft.** Overdraft is a condition of a groundwater basin or aquifer in which withdrawals exceed recharge (i.e., more water is taken out than is put back in).

**Water Table.** The upper surface of an aquifer (zone of saturation).

## 6.4.2 Goals & Policies

<b>GOAL WR-1</b>	Provide an adequate and high quality water supply to all users within the County
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### Policy WR-1.1 Water Provisions

The County shall review development proposals to ensure adequate water is available to accommodate projected growth, and that water resources are used with conservation and efficiency in mind.

### Policy WR-1.2 Domestic Groundwater

Support sustainable groundwater extraction for domestic use in rural areas



**Policy WR-1.3 Water Reclamation**

Encourage the use of reclaimed wastewater, where feasible, to augment groundwater supplies and to conserve potable water for domestic purposes.

**Policy WR-1.4 Regulatory Compliance**

Continue the review of development proposals and existing uses pursuant to the requirements of the Clean Water Act, LRWQCB, and local ordinances to reduce polluted runoff from entering surface waters.

**Policy WR-1.5 Pollutant Reduction Through Education**

Support education programs to inform the public of methods to reduce water pollution.

**Policy WR-1.6 Water for Agriculture**

Support existing and expanded sources of water for use in agriculture.

<b>GOAL WR-2</b>	Protect and preserve water resources for the maintenance, enhancement, and restoration of environmental resources.
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**Policy WR-2.1 Restoration**

Encourage and support the restoration of degraded water surface and groundwater resources.

**Policy WR-2.2 Watercourse Alterations**

Encourage the preservation of existing natural conditions of watercourses when considering flood control projects.

**Policy WR-2.3 New Hydroelectric Facilities**

New or expanded hydroelectric power facilities that do not benefit the County shall be discouraged.

<b>GOAL WR-3</b>	Protect and restore environmental resources from the effects of export and withdrawal of water resources
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**Policy WR-3.1 Watershed Management**

Protect, maintain, and enhance watersheds within Inyo County.

**Policy WR-3.2 Sustainable Groundwater Withdrawal**

The County shall manage the groundwater resources within the County through ordinances, project approvals and agreements, ensure an adequate, safe and economically viable groundwater supply for existing and future development within the County, protect existing groundwater users, maintain and enhance the natural environment, protect the overall economy of the County, and protect groundwater and surface water quality and quantity.





**Policy WR-3.3 Water Resolutions**

Support the implementation of the Long Term Groundwater Management Agreement between the County and LADWP, the MOU between LADWP, the County, the California Department of Fish and Game, the California State Lands Commission, the Sierra Club and the Owens Valley Committee, and the Inyo County Groundwater Ordinance (Ordinance 1004).

**Policy WR-3.4 Return of Water Rights**

If environmental restoration or economic development opportunities arise where additional private land or water rights are required and held by LADWP, the County should work with LADWP to regain landownership and water rights in the Owens Valley.

<b>GOAL WR-4</b>	Ensure the protection of water resources and human health related to potential contamination from development at the proposed Yucca Mountain Waste Nuclear Repository and past, present, and future activities at the Nevada Test Site.
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**Policy WR-4.1 Mitigation for Contamination**

Require the U.S. Department of Energy (DOE) to incorporate sufficient engineering features into any future repository at Yucca Mountain to ensure no migration of radionuclides or other contaminants to groundwater resources.

**Policy WR-4.2 Federal Responsibilities**

Require that the DOE shall pay for and implement the monitoring, mitigation, and warning systems to ensure potential contaminated groundwater from the Yucca Mountain Repository does not adversely affect groundwater resources within the County.

**6.4.3 Implementation Measures**

Table 6-4, Water Resources Implementation Measures, identifies the implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.



**Table 6-4. Water Resources Implementation Measures**

Implementation Measure	Implements What Policy	Who is Responsible	Timeframe		
			2012-2015	2015-2020	On-going
1.0 The County shall coordinate with LADWP and local water agencies to ensure that water supplies and facilities are planned to serve development <u>projects</u> planned within the County, <u>and that conservation and water-efficient tools are used whenever possible.</u>	WR-1.1	Public Works Water			■
2.0 The County shall review any new development proposals that involve a withdrawal of groundwater that is not regulated by the County's Groundwater Ordinance (Ordinance 1004) or the Inyo County/Los Angeles Water Agreement to ensure that with the proposed use, there will be an adequate, safe and economically viable supply of groundwater to supply all existing users of the groundwater as well as the future users under the proposed development.	WR-1.2	Water Planning Environmental Health			■
3.0 The County shall work with private industries to support the development of reclaimed water systems for non-potable uses. These efforts may include obtaining funding for subsidizing reclaimed water systems.	WR-1.3	Building and Safety Public Works			■
4.0 The County will review projects and ensure compliance with the Clean Water Act, including the requirements of the National Pollutant Discharge Elimination System (NPDES).	WR-1.4	Environmental Health LRWQCB			■



**Table 6-4. Water Resources Implementation Measures**

Implementation Measure	Implements What Policy	Who is Responsible	Timeframe		
			2012- 2015	2015- 2020	On- going
5.0 Industries that directly or indirectly discharge pollutants to surface waters shall be monitored for compliance with existing regulations.	WR-1.4	Environmental Health LRWQCB			■
6.0 Work with industries to reduce direct-source pollution into surface waters.	WR-1.4	Environmental Health LRWQCB CalEPA			■
7.0 New industrial development shall be reviewed to determine the appropriate mechanisms to reduce wastewater discharge. These mechanisms may include onsite treatment prior to discharge of materials.	WR-1.4	Planning Environmental Health LRWQCB			■
8.0 The County shall prepare information on methods to reduce water pollution to be made available to the public. This information should discuss disposal of household hazardous materials, erosion control, septic systems, and vegetation management near waterways.	WR-1.5	Environmental Health Integrated Waste Management	■		
9.0 The County shall work with LADWP and federal regulatory agencies to develop a Waterways Plan for the restoration of the Owens River. This plan shall be designed to manage water quality, quantity, and biological resources that are dependent upon the water. Funding shall be sought from federal and state agencies, as well as LADWP and the private sector.	WR-2.1	Water Planning		■	



**Table 6-4. Water Resources Implementation Measures**

	Implementation Measure	Implements		Timeframe		
		What Policy	Who is Responsible	2012-2015	2015-2020	On-going
10.0	The County shall identify degraded waterways (other than the Owens River) that are appropriate for restoration work.	WR-2.1	Water	■		
11.0	The County shall work to obtain funding and/or volunteer efforts to perform restoration and to return degraded waterways to ecological health.	WR-2.1	Water			■
12.0	When flood control is required, the County shall design facilities, or work with the Corps of Engineers or other responsible agencies, to design facilities that promote leaving watercourses in as natural a condition as possible.	WR-2.2	Public Works			■
13.0	The County shall actively discourage and object to the permitting and development of new or expanded hydroelectric energy facilities <u>that do not benefit the County</u> .	WR-2.3	Planning			■
14.0	Coordinate with federal and state land management agencies to ensure adequate protection of watersheds that are vital to Inyo County's groundwater and surface water resources.	WR-3.1	Planning Collaborative Planning Team Water			■
15.0	The County shall monitor and ensure the implementation of the MOU to rewater the lower Owens River.	WR-3.1 WR-3.3	Water	■		
16.0	Work with the State of Nevada neighboring California and Nevada Counties to cooperatively manage common watersheds and groundwater basins to achieve the goal of maintaining an adequate, safe	WR-3.1 WR-3.2	Water Planning Nevada State Engineer			■



**Table 6-4. Water Resources Implementation Measures**

Implementation Measure	Implements		Timeframe		
	What Policy	Who is Responsible	2012-2015	2015-2020	On-going
and economically viable groundwater supply for existing and future development within the County and its neighboring jurisdictions, protecting existing groundwater users, maintaining the natural environment, protecting the economy of the County, and protecting or enhancing groundwater quality and quantity.					
The County shall require that water exports not damage the County’s environmental and economic resources by ensuring that “no unreasonable effect” occurs in the transfer and withdrawal of water resources pursuant to Section 1810 of the Water Code and the Inyo County Groundwater Ordinance.					
“No unreasonable effect” shall be defined as the following:					
17.0	<ul style="list-style-type: none"> <li>▪ The action would not contribute to a significant decline in the population of any sensitive or protected plant, fish, or wildlife species;</li> <li>▪ The action would not reduce water levels in any existing public or private groundwater wells to levels that preclude withdrawal by existing users or would significantly increase the costs or such withdrawal;</li> <li>▪ The action would not contribute to a significant</li> </ul>	WR-3.2	Planning Water		■



**Table 6-4. Water Resources Implementation Measures**

Implementation Measure	Implements		Timeframe		
	What Policy	Who is Responsible	2012-2015	2015-2020	On-going
<p>change (degradation) in water quality or would reduce water quality below health standards or federal/state water quality standards;</p> <ul style="list-style-type: none"> <li>▪ The action would not contribute to effects on water quality that would result in a deficiency by the water treatment agency's or individual's ability to treat water to appropriate standards;</li> <li>▪ The action would not reduce available groundwater or surface water resources to levels that would make access and/or use of these waters uneconomical for development planned in accordance with this General Plan;</li> <li>▪ The action would not directly or indirectly discharge contaminants into surface or groundwater resources.</li> <li>▪ The action would not result in a land subsidence</li> </ul>					
<p>The term "No unreasonable effect" includes economic considerations. These considerations include the demonstration of the potential costs and economic benefits that could result in the County with a new or expanded water export operation.</p>	WR-3.2	Water Planning			■



**Table 6-4. Water Resources Implementation Measures**

	Implementation Measure	Implements		Timeframe		
		What Policy	Who is Responsible	2012-2015	2015-2020	On-going
19.0	The County shall encourage land transfers and water agreements that return water rights back to private property owners and Inyo County.	WR-3.4	Planning Water			■
20.0	The County will work to ensure that the repository design incorporates features necessary to ensure there will be no migration of radionuclides or other contaminants into groundwater resources.	WR-4.1 WR-4.2	Planning			■
21.0	The County will monitor the activities of the DOE and other federal, state, and local agencies and work with these agencies to ensure that impacts from the proposed Yucca Mountain Nuclear Waste Repository to public safety are avoided or fully mitigated.	WR-4.1 WR-4.2	Planning			■
22.0	<u>The County shall support existing and expanded sources of water for agricultural uses.</u>	<u>WR-1.6</u>	<u>Planning</u>			<u>■</u>



## 6.5 BIOLOGICAL RESOURCES

### 6.5.1 Definitions

In using this element and the goals, policies, and implementation measures that address issues related to biological resources, the following definitions will apply.

**Sensitive Natural Community.** A sensitive natural community is a community that is especially diverse, regionally uncommon, or of special concern to local, state, and federal agencies. Elimination or substantial degradation of such a community would constitute a significant impact under CEQA. The California Department of Fish and Game (DFG) monitors the condition of some sensitive natural communities in its Natural Diversity Database (NDDDB), including the following communities present in Inyo County: active desert dunes, alkali meadow, alkali seep, the Amargosa River, bristlecone pine forest, cottonball marsh, mesquite bosque, Salt Creek, Great Basin desert spring outflow, Mojave riparian forest, stabilized and partially stabilized desert dunes, transmontane alkali marsh, and water birch riparian scrub. Other sensitive natural communities that are or may be present in Inyo County include diverse types of riparian forest and scrub, Joshua tree woodland, foxtail pine forest, desert sandfields (Holland 1986), and various types of wetlands.

**Special-Status Species.** Special-status species are plants and animals that are legally protected under the state and federal Endangered Species Acts (ESAs) or other regulations, and species that are considered by the scientific community to be sufficiently rare to qualify for such listing. Special-status plants and animals are species in the following categories:

- species listed or proposed for listing as threatened or endangered under the federal ESA (50 CFR 17.12 [listed plants], 50 CFR 17.11 [listed animals], and various notices in the Federal Register [FR] [species proposed for listing]);
- species that are candidates for possible future listing as threatened or endangered under the federal ESA (61 FR 7596-7613, February 28, 1996);
- species listed or proposed for listing by the State of California as threatened or endangered under the California ESA (14 California Code of Regulations [CCR] 670.5);
- species that meet the definition of rare, threatened, or endangered under CEQA (State CEQA Guidelines Section 15380);





- plants listed as rare or endangered under the California Native Plant Protection Act (California Fish and Game Code Section 1900 et seq.);
- plants considered by the CNPS to be “rare, threatened, or endangered in California” (Lists 1B and 2 in Skinner and Pavlik 1994);
- animal species of special concern to DFG (Remsen 1978 [birds], Williams 1986 [mammals], and Jennings and Hayes 1994 [amphibians and reptiles]); and
- animals fully protected in California (California Fish and Game Code Sections 3511 [birds], 4700 [mammals], and 5050 [reptiles and amphibians]).

**Wetlands and Other Waters of the United States.** Wetlands are defined in Section 404 of the Clean Water Act as “areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support (and do support, under normal circumstances) a prevalence of vegetation typically adapted for life in saturated soil conditions” (33 CFR 328.3[b], 40 CFR 230.3). Areas that fit this definition fall under the jurisdiction of the U.S. Army Corps of Engineers. (Corps). To be protected under Section 404 of the Clean Water Act, a wetland must support positive indicators for hydrophytic vegetation, hydric soil, and wetland hydrology. However, agencies other than the Corps may consider an area a wetland if it is lacking one or more of the three parameters set forth by the Corps but provides important wetland functions and values such as wildlife habitat and water quality maintenance.

The term “other waters of the United States” refers to seasonal or perennial water bodies, including lakes, stream channels, drainages, ponds, and other surface water features that exhibit an ordinary high-water mark but lack positive indicators for one or more of the three wetland parameters described above (33 CFR 328.4). These water bodies are often also protected by the Corps or other agencies because of their important ecological function and values.

## 6.5.2 Goals & Policies

<b>GOAL BIO-1</b>	Maintain and enhance biological diversity and healthy ecosystems throughout the County.
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### **Policy BIO-1.1 Regulatory Compliance**

The County shall review development proposals to determine impacts to sensitive natural communities, of both local and regional concern, and special-status species. Appropriate mitigation measures will be incorporated into each project, as necessary.

### **Policy BIO-1.2 Preservation of Riparian Habitat and Wetlands**

Important riparian areas and wetlands, as identified by the County, shall be preserved and protected for biological resource value.



**Policy BIO-1.3      Restoration of Biodiversity**

Encourage the restoration of degraded biological communities.

~~**Policy BIO-1.4      Limitations for ERA's**~~

~~The County shall discourage development in Environmental Resource Areas (ERA).~~

**Policy BIO-1.4      Develop Outside of Habitat Areas**

Work with regulatory agencies and private developers to direct development into less significant habitat areas. Discourage urban development in areas containing sensitive natural communities or known to contain special-status species.

**Policy BIO-1.5      Wildlife Corridors**

The County shall work to preserve and protect existing wildlife corridors where appropriate.

~~**Policy BIO-1.6      Nexious- Invasive Weeds Species**~~

~~Avoid activities that will promote the spread of nexious- invasive weeds in the County.~~

**Policy BIO-1.7      Owens River Restoration**

The County will work with the LADWP and regulatory agencies to complete the restoration of habitat values along the historic Owens River channel as mitigation for degradation done with water export activities. This policy shall apply to the portion of the Owens River identified as the Lower Owens River Project.

<b>GOAL BIO-2</b>	Provide a balanced approach to resource protection and recreational use of the natural environment.
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**Policy BIO-2.1      Coordination on Management of Adjacent Lands**

Work with other government land management agencies to preserve and protect biological resources while maintaining the ability to utilize and enjoy the natural resources in the County.

**Policy BIO-2.2      Appropriate Access for Recreation**

Encourage appropriate access to resource-managed lands.

**Policy BIO-2.3      Hunting and Fishing**

Promote hunting and fishing activities within the County pursuant to appropriate regulations of the California Fish & Game Code.

**Policy BIO-2.4      Nature as Education**

Provide and support passive recreational opportunities and interpretive education in the natural environment.



### 6.5.3 Implementation Measure

Table 6-5, Biological Resources Implementation Measures, identifies the implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

**Table 6-5. Biological Resources Implementation Measures**

Implementation Measure	Implements What Policy	Who is Responsible	Timeframe		
			2012- 2015	2015- 2020	On- going
1.0 The County shall review development proposals against the California NDDB, other available studies provided by the California Department of Fish and Game and consult, as appropriate, with the California Department of Fish and Game to assist in identifying potential conflicts with sensitive natural communities or special status species.	BIO-1.1 BIO-1.2 BIO-1.4	Planning			■
2.0 On project sites that have the potential to contain species of local or regional concern, sensitive natural communities or special-status species, the County shall require the project applicant to have the site surveyed and mapped by a qualified biologist. A report on the finding of this survey shall be submitted to the County as part of the application and environmental review process.	BIO-1.1 BIO-1.2 BIO-1.4 BIO-1.5	Planning			■
3.0 On project sites with the potential to contain wetland resources, a wetland delineation shall be prepared using the protocol defined by the Corps of Engineers. A report on the findings of this survey shall be submitted to the County as part of the application process.	BIO-1.1 BIO-1.2	Planning			■



**Table 6-5. Biological Resources Implementation Measures**

Implementation Measure	Implements What Policy	Who is Responsible	Timeframe		
			2012- 2015	2015- 2020	On- going
4.0 The County shall review development proposals in accordance with applicable federal, state, and local statutes protecting special-status species and jurisdictional wetlands. Appropriate mitigation measures will be incorporated into each project, as necessary.	BIO-1.1 BIO-1.2 BIO-1.4 BIO-1.5	Planning			■
5.0 Facilitate land exchanges to protect sensitive environmental resources from development as long as no net loss of developable private land in the County results.	BIO-1.1 BIO-1.2 BIO-1.3 BIO-1.4	Planning			■
6.0 The County shall identify degraded biological resource areas or communities that may be suitable for restoration or enhancement activities.	BIO-1.3	Planning Water			■
7.0 The County shall actively pursue funding for the enhancement of degraded environmental resources.	BIO-1.3	Planning Water			■
8.0 The County shall support the appropriate preservation, restoration, and enhancement of sensitive natural communities or special-status species habitats conducted by land management agencies in the County.	BIO-1.3	Collaborative Planning Team Planning			■
9.0 <del>The County shall develop and maintain a diagram(s) showing the location of ERAs in the County. ERAs to be mapped shall be larger, contiguous areas known for containing sensitive natural communities or supporting special-status species.</del>	<del>BIO-1.4</del>	<del>Planning</del>	<del>■</del>		



**Table 6-5. Biological Resources Implementation Measures**

Implementation Measure	Implements		Timeframe		
	What Policy	Who is Responsible	2012-2015	2015-2020	On-going
<del>10.0 Development shall be discouraged in designated Environmental Resource Areas (ERA) unless adverse effects to sensitive resources can be mitigated to a less than significant level.</del>	<del>BIO-1.4</del>	<del>Planning</del>			■
9.0 The County shall work with regulatory agencies and organizations to develop a plan to identify and manage those weed species or weed infestation areas that pose the greatest threat to sensitive biological resources, agricultural areas, or other high priority resources.	BIO-1.6	Farm Advisor Agricultural Commissioner Planning Water			■
10.0 Project proponents will be required to survey and implement prevention measures, abatement measures, and post-project monitoring of noxious weeds as a component of land management or land development projects.	BIO-1.6	Farm Advisor Agricultural Commissioner Planning Water			■
The County will work with other government agencies to provide designated access points, trails, and roads into and through resource-managed lands. The County will assist in discouraging random access to and inside sensitive ecological areas.	BIO-2.1 BIO-2.2	Planning Public Works LTC			■
11.0 The County shall support the preservation or reestablishment of fisheries in the rivers and streams within the County, whenever possible.	BIO-2.3	Planning			■



**Table 6-5. Biological Resources Implementation Measures**

	Implementation Measure	Implements		Timeframe		
		What Policy	Who is Responsible	2012-2015	2015-2020	On-going
12.0	The County shall work to inform and educate the public about the natural resources in Inyo County and the steps that they can take to help protect, enhance, restore, and enjoy these resources.	BIO-2.4	Collaborative Planning Team			■
13.0	The County, in cooperation with other agencies, shall seek funding for the development of interpretive facilities that educate the public on the natural environmental resources.	BIO-2.4	Collaborative Planning Team Coalition for Unified Recreation in the Eastern Sierra			■



## 6.6 Cultural Resources

### 6.6.1 Definitions

In using this element and the goals, policies, and implementation measures that address issues related to cultural resources, the following definitions will apply.

**Archaeology.** The study of historic or prehistoric peoples and their cultures by analysis of their artifacts and monuments.

**Cultural Resources.** “Cultural resources” is a term used to group the study of prehistoric and historic human cultures.

**Ethnography.** Ethnography is the study of contemporary human cultures.

**Historic/Prehistoric Resources.** The term historic resource refers to cultures or artifacts from the time period of the first Euroamerican contact (approximately 1834) to present. The tem prehistoric resource refers to the time period before 1834. Historic resources are defined in Section 15064.5(a) of the CEQA Guidelines.

### 6.6.2 Goals & Policies

<b>GOAL CUL-1</b>	Preserve and promote the historic and prehistoric cultural heritage of the County.
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**Policy CUL-1.1 Partnerships in Cultural Programs**

Encourage and promote private programs and public/private partnership that express the cultural heritage of the area.

**Policy CUL-1.2 Interpretive Opportunities**

Support and promote the development of interpretive facilities, such as roadside kiosks, museums, and restored historic buildings that highlight the County’s cultural resources.

**Policy CUL-1.3 Protection of Cultural Resources**

Preserve and protect key resources that have contributed to the social, political, and economic history and prehistory of the area, unless overriding circumstances are warranted.



**Policy CUL-1.4 Regulatory Compliance**

Development and/or demolition proposals shall be reviewed in accordance with the requirements of CEQA and the National Historic Preservation Act.

**Policy CUL-1.5 Native American Consultation**

The County and private organizations shall work with appropriate Native American groups when potential Native American resources could be affected by development proposals.

**6.6.3 Implementation Measures**

Table 6-6, Cultural Resources Implementation Measures, identifies the implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.

**Table 6-6. Cultural Resources Implementation Measures**

	Implementation Measure	Implements What Policy	Who is Responsible	Timeframe		
				2012- 2015	2015- 2020	On- going
1.0	The County shall work in partnerships with private entities, other agencies, and educational institutions to support dissemination of knowledge of the historic and prehistoric past of the County. This may include acquisition of funding, promotion of festivals, and/or development of interpretive facilities.	CUL-1.1 CUL-1.2	<del>Collaborative Planning Team</del> Eastern California Museum Bishop Museum & Historical Society Inyo Council for the Arts			■
2.0	The County should <del>retain, and maintain update to the extent possible, and update</del> the existing survey of historic structures (prepared by IMACA and IMAGE). <del>This document should identify key resources that should be the focus for preservation.</del>	CUL-1.3	Planning Eastern California Museum			■





**Table 6-6. Cultural Resources Implementation Measures**

	<b>Implementation Measure</b>	<b>Implements What Policy</b>	<b>Who is Responsible</b>	<b>Timeframe</b>		
				<b>2012- 2015</b>	<b>2015- 2020</b>	<b>On- going</b>
3.0	If preservation of cultural resources is not feasible, every effort shall be made to mitigate impacts, including relocation of structures, adaptive reuse, preservation of facades, and thorough documentation and archival of records.	CUL-1.4	Eastern California Museum Planning			■
4.0	Native American groups shall be contacted at the preliminary stages of a project that may result in effects to Native American resources.	CUL-1.5	Planning Native American Heritage Commission			■



## 6.7 VISUAL RESOURCES

### 6.7.1 Definitions

In using this element and the goals, policies, and implementation measures that address issues related to visual resources, the following definitions will apply.

**View Corridor.** A view corridor is a highway, road, trail, or other linear feature that offers travelers a vista of scenic areas within the County.

**Viewshed.** A viewshed is the area that can be seen from a given vantage point and viewing direction. A viewshed is composed of foreground items (items closer to the viewer) that are seen in detail and background items (items at some distance from the viewer) that frame the view. For instance, if a person were to stand midway up Whitney Portal Road, their foreground view may include the boulders and plants near them, and the background may include the Inyo and White Mountains, the Owen Valley, and Owens Lake.

If a person is moving, as when traveling along a roadway (a view corridor), the viewshed changes as the person moves, with the foreground items changing rapidly and the background items remaining fairly consistent for a long period of time.

### 6.7.2 Goals & Policies

#### GOAL VIS-1

Preserve and protect resources throughout the County that contribute to a unique visual experience for visitors and quality of life for County residents.

#### Policy VIS-1.1 Historic Character

The County shall preserve and maintain the historic character of communities within the County.

#### Policy VIS-1.2 Community Design

The County will encourage and assist in the establishment and maintenance of design themes within existing communities.

#### Policy VIS-1.3 Grading Impacts

Man-made slopes should be treated to reflect natural hillside conditions in the surrounding area.



**Policy VIS-1.4      Equipment Screening**

Within communities, building equipment shall be screened from public view.

**Policy VIS-1.5      Outdoor Advertising**

Outdoor advertising shall promote business in a manner that does not significantly degrade natural and community visual resources.

**Policy VIS-1.6      Control of Light and Glare**

The County shall require that all outdoor light fixtures including street lighting, externally illuminated signs, advertising displays, and billboards use low-energy, shielded light fixtures which direct light downward (i.e., lighting shall not emit higher than a horizontal level) and which are fully shielded. Where public safety would not be compromised, the County shall encourage the use of low-pressure sodium lighting for all outdoor light fixtures.

**Policy VIS-1.7      Street Lighting**

Street lighting shall only be utilized where needed to protect public safety related to traffic movement.

### **6.7.3      Implementation Measures**

Table 6-7, Visual Resources Implementation Measures, identifies the implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.



**Table 6-7. Visual Resources Implementation Measures**

Implementation Measure	Implements		Timeframe		
	What Policy	Who is Responsible	2012-2015	2015-2020	On-going
<p>New development, alterations to existing structures, and proposed demolitions in areas designated as “CBD” on the County’s Land Use Diagrams shall be subject to design approval in accordance with the following criteria (in addition to local guidance developed per Implementation Measure 2.0).</p> <ul style="list-style-type: none"> <li>▪ Scale and style shall be similar to that of older structures.</li> <li>▪ Continuity in building lines and setbacks maintained along the main street in the district (CBD area).</li> <li>▪ Off-street parking should be located away from street corners and located behind or to the side of buildings.</li> <li>▪ Older buildings that contribute to the character of the area should not be demolished or significantly altered in a manner that eliminates key architectural features.</li> </ul>	<p>VIS-1.1 VIS-1.2</p>	<p>Planning</p>			<p>■</p>
<p>In communities containing land designated as “CBD,” the County Planning Department will work with the community to establish a design theme or guidelines for new development in their communities.</p>	<p>VIS-1.2</p>	<p>Planning</p>			<p>■</p>
<p>In communities with established design themes or guidelines, the County will use these in the review of all future projects.</p>	<p>VIS-1.2</p>	<p>Planning</p>			<p>■</p>



**Table 6-7. Visual Resources Implementation Measures**

	Implementation Measure	Implements		Timeframe		
		What Policy	Who is Responsible	2012-2015	2015-2020	On-going
4.0	Graded slopes over five feet in height (the vertical height as measured from the base of the slope to its top) shall be re-vegetated within 60-days of grading completion. Use of native plants is encouraged.	VIS-1.3	Planning <u>Building &amp; Safety</u>			■
5.0	Earthwork that involves mass grading of hillside areas should implement landform grading that conforms to or mimics the natural contours of the land to reduce visual disturbances.	VIS-1.3	Planning Public Works <u>Building &amp; Safety</u>			■
6.0	During review of development applications, the County will require that appropriate screening be included for mechanical equipment or outdoor storage.	VIS-1.4	Planning			■



## 6.8 RECREATION

### 6.8.1 Definitions

In using this element and the goals, policies, and implementation measures that address issues related to recreation, the following definitions will apply.

**Active Recreation Area.** This term is used to refer to sites that have been modified with structures or facilities designed for their enjoyment, such as a playground or recreation center. Examples in the County would include Dehy County Park in Independence and the hot springs in Tecopa.

**Open Space.** A publicly owned or managed area that may be enjoyed for recreational activities even though its primary purpose may be some other activity (watershed protection, habitat protection, rangeland).

**Passive Recreation Area.** Areas used in their natural state with few structures or facilities other than parking and trails.

**Recreation Area.** Any public or private space set aside or primarily oriented to recreational use.

### 6.8.2 Goals & Policies

#### GOAL REC-1

Develop a public parks, recreation, and open space system that provides adequate space and facilities to meet the varied needs of County residents and visitors.

#### Policy REC-1.1 Natural Environment as Recreation

Encourage the use of the natural environment for passive recreational opportunities.

#### Policy REC-1.2 Recreational Opportunities on Federal, State, and LADWP Lands

Encourage the continued management of existing recreational areas and open space, and appropriate expansion of new recreational opportunities on federal, state, and LADWP lands.



**Policy REC-1.3 Existing Park Facilities**

Enhance existing County recreational parks and campground sites.

**Policy REC-1.4 Adequate Parkland**

The County shall provide adequate parkland throughout the County. The County shall require parkland dedication and/or developer impact fees for new subdivisions within the County to provide adequate recreation space for residents.

**Policy REC-1.5 Distribution of Community Parks**

The County shall ensure that community parks are located to ensure equitable distribution of facilities within the County.

**Policy REC-1.6 Range of Recreational Activities/Facilities**

The County shall provide for a broad range of active and passive recreational activities in community parks designed to accommodate populations with special needs, such as the elderly, disabled, children, and teenagers. When possible, this should include active sports fields and facilities in community parks that will provide for the needs of leagues and programs.

**Policy REC-1.7 Park Design**

The County shall ensure that community members are involved in the design and development of all park facilities.

**6.8.3 Implementation Measures**

Table 6-8, Recreation Implementation Measures, identifies the implementation measures the County should take to implement the goals and policies of this General Plan. The implementation program lists each specific implementation measure, a reference to which General Plan policy it is implementing, who is responsible to implement the program, and the timeframe for implementation.



**Table 6-8. Recreation Implementation Measures**

Implementation Measure	Implements What Policy	Who is Responsible	Timeframe		
			2012-2015	2015-2020	On-going
1.0 Work with federal and state agencies that manage land with Inyo County to ensure that appropriate access to open space and recreational areas is provided <u>for all sectors of the population, including those with special needs.-</u>	REC-1.1 REC-1.2 <u>REC-1.6</u>	Planning			■
2.0 Work with the LADWP to fully take advantage of the recreational opportunities associated with the Lower Owens River Restoration Project.	REC-1.1 REC-1.2	Planning Water	■		
3.0 Work with the LADWP to assist in the improvement and enhancement of County parks on LADWP lands.	REC-1.2 REC-1.3	Parks and Recreation			■
4.0 Develop park and campground improvement and maintenance plans to address each of the County's parks and campgrounds, <u>making sure that populations with special needs are also accommodated.-</u>	REC-1.3 <u>REC-1.6</u>	Parks and Recreation		■	
5.0 Explore an "Adopt-a-Park" concept with corporations, service clubs, and citizens. Identify interested entities and create an action plan tailored to fit the adopting organizations budget and interest.	REC-1.3	Parks and Recreation	■		
6.0 County staff shall pursue funding for direct, matching, and challenge grants from agencies and organizations as available.	REC-1.3 REC-1.4 REC-1.6	Parks and Recreation			■





**Table 6-8. Recreation Implementation Measures**

Implementation Measure	Implements What Policy	Who is Responsible	Timeframe		
			2012-2015	2015-2020	On-going
7.0 Implement Quimby Act (Subdivision Map Act) provisions to obtain park exactions from subdivision developments.	REC-1.4	Planning			■
8.0 Obtain funding and/or implement land transfers to acquire additional parkland within the County.	REC-1.4	Planning			■
9.0 Seek to maintain a level of service standard of 3 acres per 1,000 residents for community parks.	REC-1.4	Planning			■
10.0 During development review, ensure that appropriate dedications or in-lieu payments are made in keeping with County required parkland requirements.	REC-1.4	Planning			■
11.0 Parkland shall be distributed throughout the County in keeping with the locations of populations and geographic regions.	REC-1.5	Planning			■
12.0 Where possible, locate active recreation uses to minimize conflicts with residential areas, sensitive natural areas, and passive recreation areas.	REC-1.5	Planning			■
13.0 <del>The County, as part of their Zoning Ordinance, shall establish minimum park standards to be used in assessing improvement needs, new park development plans, and available funding for maintenance.</del>	REC-1.6	Parks and Recreation Public Works Planning	■		



**Table 6-8. Recreation Implementation Measures**

	<b>Implementation Measure</b>	<b>Implements What Policy</b>	<b>Who is Responsible</b>	<b>Timeframe</b>		
				<b>2012- 2015</b>	<b>2015- 2020</b>	<b>On- going</b>
13.0	Work with the Inyo Council for the Arts (ICA) to support recreational programs within the County.	REC-1.6	Parks and Recreation			■
14.0	The County shall involve the public early in the siting and design aspects of new park facilities.	REC-1.7	Parks and Recreation			■