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

**PROJECT TITLE:** Laws Museum Track Expansion Project

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

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

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

### **FINDINGS:**

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

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

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

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

Cynthia Droper  
Name

6/21/22  
Date



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## **INYO COUNTY PLANNING DEPARTMENT**

### **APPENDIX G: CEQA INITIAL STUDY & ENVIRONMENTAL CHECKLIST FORM**

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

| <b>Location:</b> | <b>Use:</b> | <b>Gen. Plan Designation</b> | <b>Zoning</b>   |
|------------------|-------------|------------------------------|-----------------|
| North            | Vacant      | (A) Agriculture              | (OS) Open Space |
| South            | Vacant      | (A) Agriculture              | (OS) Open Space |
| East             | Vacant      | (A) Agriculture              | (OS) Open Space |
| West             | Vacant      | (A) Agriculture              | (OS) Open Space |

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

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

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

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

### ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

### DETERMINATION

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Gynthia Droppa  
Name

6/21/22  
Date

# **INYO COUNTY PLANNING DEPARTMENT** **ENVIRONMENTAL CHECKLIST FORM**

|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact | No<br>Impact |
|--|--------------------------------------|-----------------------------------------------------------------|------------------------------------|--------------|
|--|--------------------------------------|-----------------------------------------------------------------|------------------------------------|--------------|

**I. AESTHETICS** -- Would the project:

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

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? ☐ ☐ ☐ ☒

*No, the project site is not located near a state scenic highway and no buildings are located within the proposed project area.*

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? ☐ ☐ ☐ ☒  
 (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

*No, the proposed project is the site of a former railroad line. The project will involve clearing weeds and brush that has grown over the existing remnants of the railroad grade. It will not degrade the existing visual character of the area and may even enhance it by continuing the historic character of the museum further south.*

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? ☐ ☐ ☐ ☒

*No, the railroad tracks will be at ground level and will not have heavy frequent daily travel which tends to cause railroad tracks to develop a rusty color. This will keep the tracks from producing glare. Even if some polish does develop with use, glare would not be substantial.*

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

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? ☐ ☐ ☐ ☒

*No, the project is not located on land designated as farmland.*

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? ☐ ☐ ☐ ☒

*No, the project is not located on land zoned exclusively for agriculture. Inyo County has no Williamson Act contracts.*

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

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

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

d) Result in the loss of forest land or conversion of forest land to non-forest use?

☐ ☐ ☐ ☒

*No, the project is not located on forestland.*

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

☐ ☐ ☐ ☒

*No, the project is not located on farmland.*

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

**Would the project:**

a) Conflict with or obstruct implementation of the applicable air quality plan?

☐ ☐ ☐ ☒

*No, there is not an air quality plan for the area in which the project is proposed.*

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

☐ ☐ ☐ ☒

*No, there are no air quality standards being violated in the area which the project is proposed.*

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

☐ ☐ ☐ ☒

*No, the project includes a small visitor use only railcar ride operation. It is not within an area that is in non-attainment for any criteria pollutants and none of the project components will release emissions that exceed ozone thresholds.*

d) Expose sensitive receptors to substantial pollutant concentrations?

☐ ☐ ☐ ☒

*No, the project proposes that the visitor rides, at the maximum, would be about eight per day and each ride would only go the distance of about 1.25-miles after the completion of the track extension. There are also no sensitive receptors in the area that would be affected by any possible limited emissions except museum visitors.*

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

☐ ☐ ☐ ☒

*No, the surrounding area is unpopulated except for the Laws Museum during operating hours.*

**IV. BIOLOGICAL RESOURCES:** Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

☐ ☒ ☐ ☐

| Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact | No<br>Impact |
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*A Biological Survey of the proposed project was conducted in July 2021 by Ms. Jennifer Richardson. The survey identified an active Swainson's Hawk nest in a tree adjacent to the historic railroad grade approximately .7 mile south from the Museum grounds at the proposed terminus of the project. To prevent disturbance of the nesting birds during the nesting season, all construction within 1/2 miles of the nest will be terminated until after fledging. A Monitor will conduct surveys of the nesting site weekly beginning no more than 30-days prior to the spring nesting season and continue until after fledging is observed. The same restriction shall apply to any future train operations and the visitor rides will end 1/2-mile from the nest side until after fledging.*

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

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

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

☐ ☐ ☐ ☒

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

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

☐ ☐ ☐ ☒

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

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

☐ ☒ ☐ ☐

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

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

☐ ☐ ☐ ☒

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

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

☐ ☐ ☐ ☒

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

**V. CULTURAL RESOURCES:** Would the project:

| Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact | No<br>Impact |
|--------------------------------------|-----------------------------------------------------------------|------------------------------------|--------------|
|--------------------------------------|-----------------------------------------------------------------|------------------------------------|--------------|

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

|                          |                          |                                     |                          |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

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

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

|                          |                          |                                     |                          |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

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

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

#### **VI. ENERGY:** Would the project:

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

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

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

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

*No, the project is not located in one of the County's Solar Energy Development Areas (SEDA), as identified by the General Plan.*

#### **VII. GEOLOGY AND SOILS:** Would the project:

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

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

|                          |                          |                                     |                          |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

*No, the project is not in an Alquist-Priolo zone. Also, the project does not include habitable structures and the historic record shows no past earthquake activity that affected the railroad's operations.*

|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact | No<br>Impact |
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|--|--------------------------------------|-----------------------------------------------------------------|------------------------------------|--------------|

ii) Strong seismic ground shaking?

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

iii) Seismic-related ground failure, including liquefaction?

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

iv) Landslides?

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

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

|                          |                          |                                     |                          |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

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

|                          |                          |                                     |                          |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

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

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

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

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

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

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

#### **VIII. GREENHOUSE GAS EMISSIONS:** Would the project:

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

|                          |                          |                                     |                          |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

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

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

| Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact | No<br>Impact |
|--------------------------------------|-----------------------------------------------------------------|------------------------------------|--------------|
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## **IX. HAZARDS AND HAZARDOUS MATERIALS:**

### **Would the project:**

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

☐ ☐ ☒ ☐

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

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

☐ ☐ ☐ ☒

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

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

☐ ☐ ☐ ☒

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

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

☐ ☐ ☐ ☒

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

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

☐ ☐ ☐ ☒

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

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

☐ ☐ ☐ ☒

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

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

☐ ☐ ☐ ☒

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

|                                      |                                                                 |                                    |              |
|--------------------------------------|-----------------------------------------------------------------|------------------------------------|--------------|
| Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact | No<br>Impact |
|--------------------------------------|-----------------------------------------------------------------|------------------------------------|--------------|

# **X. HYDROLOGY AND WATER QUALITY:**

## **Would the project:**

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

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

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

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

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

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

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

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

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

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

|                          |                                     |                          |                          |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|-------------------------------------|--------------------------|--------------------------|

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

# **XI. LAND USE AND PLANNING:**

a) Physically divide an established community?

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact | No<br>Impact |
|--|--------------------------------------|-----------------------------------------------------------------|------------------------------------|--------------|
|--|--------------------------------------|-----------------------------------------------------------------|------------------------------------|--------------|

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

*No, the area of the proposed project is zoned Open Space and is occasionally used for range cattle grazing. The project will not interfere with this use.*

#### **XII. MINERAL RESOURCES:** Would the project:

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

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

*No, according to the State of California Department of Conservation Division of Oil, Gas, and Geothermal Resources, there are no known valuable mineral resources in the vicinity of the proposed project.*

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

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

*No, the project site is not delineated as a locally important mineral resource recovery site in the Inyo County General Plan. Further, no active mines or mineral prospects exist on or near the proposed project site.*

#### **XIII. NOISE:** Would the project result in:

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

|                          |                          |                                     |                          |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

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

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

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

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

*No, the Eastern Sierra Regional Airport is located four miles from the proposed project site. There are no residences located within 1/4 mile of the proposed project.*

#### **XIV. POPULATION AND HOUSING:** Would the project:

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

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

*No, no new homes are proposed, and the only new road would be an emergency and maintenance access road adjacent to the railroad tracks.*

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

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

| Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact | No<br>Impact |
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**XV. PUBLIC SERVICES:** Would the project:

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

Fire protection? ☐ ☐ ☐ ☒

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

Police protection? ☐ ☐ ☐ ☒

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

Schools? ☐ ☐ ☐ ☒

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

Parks? ☐ ☐ ☐ ☒

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

Other public facilities? ☐ ☐ ☐ ☒

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

**XVI. RECREATION:** Would the project:

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

☐ ☐ ☐ ☒

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

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

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

**XVII. TRANSPORTATION:**

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

☐ ☐ ☐ ☒

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

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

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

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

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

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

d) Result in inadequate emergency access? ☐ ☐ ☒ ☐

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

#### **XVIII. TRIBAL CULTURAL RESOURCES: Would the project:**

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

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

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

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

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

#### **XIX UTILITIES AND SERVICE SYSTEMS:**

**Would the project:**

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

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

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

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

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

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

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

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

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

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

#### **XX. WILDFIRE:**

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

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

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

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

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

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

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

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

#### **XXI. MANDATORY FINDINGS OF SIGNIFICANCE:**

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

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

| Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact | No<br>Impact |
|--------------------------------------|-----------------------------------------------------------------|------------------------------------|--------------|
|--------------------------------------|-----------------------------------------------------------------|------------------------------------|--------------|

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

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

☐ ☐ ☒ ☐

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

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

☐ ☐ ☐ ☒

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

## INYO COUNTY PLANNING DEPARTMENT

### CEQA APPENDIX G: INITIAL STUDY & ENVIRONMENTAL CHECKLIST FORM

#### EVALUATION OF ENVIRONMENTAL IMPACTS:

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

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

9) The explanation of each issue should identify:

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