



**VIA ELECTRONIC MAIL**

November 22, 2016

Mono County Board of Supervisors  
c/o Bob Musil, Clerk of the Board  
PO Box 715  
Bridgeport, CA 93517  
[bmusil@mono.ca.gov](mailto:bmusil@mono.ca.gov)

Mono County Planning Commission  
c/o CD Ritter  
Commission Secretary  
PO Box 347  
Mammoth Lakes, CA 93546  
[cdritter@mono.ca.gov](mailto:cdritter@mono.ca.gov)

**Re: Request for Notice Regarding Conway Ranch Actions**

Dear Mono County Board of Supervisors and Planning Commissioners,

I am writing to request notice be provided to the Center for Biological Diversity ("Center"), of any actions or agenda items regarding the Conway Ranch, including, for example, planning, management, and/or grazing lease renewal. Electronic notice is preferred.

The Center is a national, nonprofit organization with offices in Los Angeles and Oakland, California, Arizona, Oregon, Alaska, Washington D.C., and Florida. The Center's mission is to protect endangered species and wild places through science, policy, education, and environmental law. The Center has over 50,000 members, many of whom reside and/or recreate in Mono County and the Sierra Nevada mountains in California. The Center and its members have worked to ensure the conservation of the Sierra Nevada bighorn, including by seeking protections for this endangered species under federal law. The Center has specifically advocated for steps to reduce the risk of disease transmission from domestic sheep grazing in bighorn habitat for over a decade.

The Center is concerned that the management of the Conway Ranch properties is harming environmental resources. Most importantly, the Center is concerned that continued domestic sheep grazing on both the Mattly and North Conway areas (and any future grazing on Bowl Meadow) creates unacceptable risks of disease transmission to the endangered Sierra Nevada bighorn sheep populations in this area. While we understand that the County is aware of

---

*Alaska · Arizona · California · Florida · Minnesota · Nevada · New Mexico · New York · Oregon · Vermont · Washington, DC*

Lisa T. Belenky • Senior Attorney • 1212 Broadway, Suite 800 Oakland, CA 94612  
tel: 510-844-7107 • cell: 415-385-5694 • fax: 510-844-7150 • [lbelenky@biologicaldiversity.org](mailto:lbelenky@biologicaldiversity.org)  
[www.BiologicalDiversity.org](http://www.BiologicalDiversity.org)

the need to protect endangered Sierra Nevada bighorn sheep from disease transmission, the Center is concerned that the County has nonetheless allowed domestic sheep grazing to continue on the Conway Ranch properties creating a threat to this listed species.

### ***1. Any Grazing Lease Renewal Would Require an EIR***

The Conway Ranch Conservation Management Plan (at 6) states that: “when updating the Sheep Grazing Lease, and when evaluating the condition of the grazing lands during annual monitoring<sup>1</sup> . . . the County will consider concerns and recommendations of state and federal fish and wildlife agencies regarding possible impacts of sheep grazing on Sierra Nevada Bighorn Sheep and sage grouse.” According to its terms, the current grazing lease expires on November 15, 2017. (Conway Ranch Conservation Management Plan, October 2014, Appx. F). If and when the County does consider issuing a new grazing lease for Conway Ranch, the County must prepare an Environmental Impact Report because under CEQA a grazing lease is a project that may have a significant effect on the environment. Public Resources Code §§ 21100, 21151; CEQA Guidelines § 15064(a)(1); *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68, 82; *Architectural Heritage Assn. v. County of Monterey* (2004) 122 Cal. App. 4th 1095, 1109-10. Given the amount of work needed to prepare and review an EIR, it appears that the County would need to begin that process very soon.

The potential impacts to bighorn populations from grazing on the Conway Ranch are significant. Grazing on the Mattly portion of the lease creates a direct threat of disease transmission to endangered bighorn. Grazing on North Conway, across highway 395, also creates some risk of disease transmission and creates a threat to bighorn that may attempt to cross the highway.

The County will also need to consider the potentially significant impacts of grazing on bi-state sage grouse populations, which the U.S. Fish and Wildlife Service declined to list based on commitments from states and counties that this increasingly rare bird would be protected. The Center is also aware that questions have been raised by local neighboring homeowners about the condition of meadows and riparian areas on the Conway Ranch which are deteriorating due to lack of appropriate management. These issues would also need to be addressed in the EIR for any lease renewal to ensure that the Conway Ranch management is not harming irreplaceable environmental resources including habitat for special status species and riparian areas.

### ***2. The County Should Suspend Grazing Under the Existing Permit to Protect Bighorn***

The Center urges the County to suspend any sheep grazing on the Conway Ranch pending the outcome of a full EIR review to protect bighorn during the 2017 grazing season.

---


<sup>1</sup> Although the Conway Ranch 2015 Annual Report and 2016 Operations Plan (May 2016) discussed the grazing issues it did not fully consider the concerns and recommendations from the wildlife agencies regarding impacts to bighorn or sage grouse, nor has the Center been able to find any record of the County undertaking such consideration as part of the annual review.

Moreover, it is unclear if the lease has been fully complied with over the past 4 years. The Conway Ranch 2015 Annual Report and 2016 Operations Plan (May 2016) explained that, due to drought, water was not available for livestock watering in 2015, and “livestock obtained water from Wilson Creek as well as spring sources on the property. This activity is in accordance with historic practices during drought years, but is not in compliance with the grazing lease.” (*Id.* at 6). The lease states that to protect water quality, sheep must be kept away from springs and creeks. “Water Quality: 1. Spring sources, natural wetlands and creeks should be avoided. Sheep should be kept at least ten feet away from these areas.” (Conway Ranch Conservation Management Plan, Appx. F, Lease at B.4.c.1.)<sup>2</sup>

The Center urges the County to take affirmative steps to protect the endangered Sierra Nevada bighorn sheep populations from the threat of disease transmission by not allowing any grazing on Conway Ranch in 2017 and declining to renew the grazing lease at Conway Ranch.

The Center looks forward to working with the County on this important issue and receiving notices regarding any proposed future actions at the Conway Ranch. Please send all notices to both [lbelenky@biologicaldiversity.org](mailto:lbelenky@biologicaldiversity.org) and [jaugustine@biologicaldiversity.org](mailto:jaugustine@biologicaldiversity.org). Please do not hesitate to contact me if you have any questions regarding the interests of the Center or this request for notice.

Sincerely,



Lisa T. Belenky, Senior Attorney  
Center for Biological Diversity  
1212 Broadway, Suite 800  
Oakland, CA 94612  
(510) 844-7107  
[lbelenky@biologicaldiversity.org](mailto:lbelenky@biologicaldiversity.org)

cc: (via email)

Tony Dublino, Environmental Services Manager, Mono County, [tdublino@mono.ca.gov](mailto:tdublino@mono.ca.gov)  
Kay Ogden, Executive Director, Eastern Sierra Land Trust, [kay@eslt.org](mailto:kay@eslt.org)  
Lacey Greene, California Department of Fish and Wildlife, [lacey.greene@wildlife.ca.gov](mailto:lacey.greene@wildlife.ca.gov)  
Mike McCrary, Ventura Fish and Wildlife Office, [mike\\_mccrary@fws.gov](mailto:mike_mccrary@fws.gov)  
Dan Balduini, Nevada Fish and Wildlife Office, [daniel\\_balduini@fws.gov](mailto:daniel_balduini@fws.gov)

---

<sup>2</sup> The annual report from 2016 is not yet available, and the Center has to date been unable to learn whether similar activities occurred in 2016.