

RESPONSE TO COMMENTS AND MITIGATION MONITORING AND REPORTING PROGRAM

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Holiday Haus Project

LEAD AGENCY:

Town of Mammoth Lakes
437 Old Mammoth Road, Suite R
Mammoth Lakes, California 93546
Contact: Ms. Jen Daugherty, Associate Planner
760.934.8989 ext.260

PREPARED BY:

RBF Consulting
14725 Alton Parkway
Irvine, California 92618
Contact: Ms. Kristen Bogue, CEI
Mr. Eddie Torres, INCE
949.472.3505

September 30, 2008

JN 10-106067

TABLE OF CONTENTS

1.0	Introduction	1-1
2.0	Response to Comments	2-1
3.0	Mitigation Monitoring and Reporting Checklist.....	3-1



1.0 INTRODUCTION

The Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared pursuant to the requirements of the California Environmental Quality Act (CEQA) (see Public Resources Code Sections 21000-21177), as well as the State CEQA Guidelines (see Title 14 of the California Code of Regulations, Sections 15063).

The IS/MND was made available for public review and comment pursuant to State CEQA Guidelines Section 15070. The public review period commenced on August 14, 2008, and expired on September 12, 2008. The IS/MND and supporting attachments were available for review by the general public at the offices of the Town of Mammoth Lakes Community Development Department, 437 Old Mammoth Road, Suite R, Mammoth Lakes, California.

Response to Comments

During the public review period, comments were received on the IS/MND from certain interested public agencies and private parties. The following is a list of the persons, firms, or agencies that submitted comments on the IS/MND during the public review period:

1. Terry Roberts, Director, State Clearinghouse, State of California Office of Planning and Research, dated September 16, 2008 (attached as Letter 1);
2. Gayle J. Rosander, IGR/CEQA Coordinator, California Department of Transportation, dated September 10, 2008 (attached as Letter 2);
3. Dave Singleton, Program Analyst, Native American Heritage Commission, dated September 9, 2008 (attached as Letter 3);
4. John Walter, Chair, Advocates for Mammoth, dated September 12, 2008 (attached as Letter 4);
5. Sharon Clark, Resident, e-mail correspondence dated September 12, 2008 (attached as Letter 5);
6. Thom Heller, Fire Marshal, Mammoth Lakes Fire Protection District, dated September 15, 2008 (attached as Letter 6); and
7. Brad Henderson, Senior Environmental Scientist, California Department of Fish and Game, dated September 12, 2008 (attached as Letter 7).

Even though CEQA and the State CEQA Guidelines do not require a Lead Agency to prepare written responses to comments received on an IS/MND, as contrasted with a Draft Environmental Impact Report (see State CEQA Guidelines Section 15088), the Town of Mammoth Lakes has elected to prepare the following written responses with the intent of conducting a comprehensive and meaningful evaluation of the proposed project.

The number designations in the responses are correlated to the bracketed and identified portions of each comment letter.



Mitigation Monitoring and Reporting Checklist

CEQA requires that when a public agency completes an environmental document which includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a reporting or monitoring program. This requirement ensures that environmental impacts found to be significant will be mitigated. The reporting or monitoring program must be designed to ensure compliance during project implementation (Public Resources Code Section 21081.6).

In compliance with Public Resources Code Section 21081.6, the attached Section 3.0, *Mitigation Monitoring and Reporting Checklist*, has been prepared for the Holiday Haus Project. This Mitigation Monitoring and Reporting Checklist is intended to provide verification that all applicable Conditions of Approval relative to significant environmental impacts are monitored and reported. Monitoring will include: 1) verification that each mitigation measure has been implemented; 2) recordation of the actions taken to implement each mitigation; and 3) retention of records in the Holiday Haus Project file.

This Mitigation Monitoring and Reporting Program delineates responsibilities for monitoring the project, but also allows the Town of Mammoth Lakes (Town) flexibility and discretion in determining how best to monitor implementation. Monitoring procedures will vary according to the type of mitigation measure. Adequate monitoring consists of demonstrating that monitoring procedures took place and that mitigation measures were implemented. This includes the review of all monitoring reports, enforcement actions, and document disposition, unless otherwise noted in the attached Mitigation Monitoring and Reporting Program table. If an adopted mitigation measure is not being properly implemented, the designated monitoring personnel shall require corrective actions to ensure adequate implementation.

Reporting consists of establishing a record that a mitigation measure is being implemented, and generally involves the following steps:

- The Town distributes reporting forms to the appropriate entities for verification of compliance.
- Departments/agencies with reporting responsibilities will review the Initial Study, which provides general background information on the reasons for including specified mitigation measures.
- Problems or exceptions to compliance will be addressed to the Town as appropriate.
- Periodic meetings may be held during project implementation to report on compliance of mitigation measures.
- Responsible parties provide the Town with verification that monitoring has been conducted and ensure, as applicable, that mitigation measures have been implemented. Monitoring compliance may be documented through existing review and approval programs such as field inspection reports and plan review.
- The Town prepares a reporting form periodically during the construction phase and an annual report summarizing all project mitigation monitoring efforts.



- Appropriate mitigation measures will be included in construction documents and/or conditions of permits/approvals.

Minor changes to the Mitigation Monitoring and Reporting Program, if required, would be made in accordance with CEQA and would be permitted after further review and approval by the Town. Such changes could include reassignment of monitoring and reporting responsibilities, program redesign to make any appropriate improvements, and/or modification, substitution, or deletion of mitigation measures subject to conditions described in CEQA Guidelines Section 15162. No change will be permitted unless the Mitigation Monitoring and Reporting Program continues to satisfy the requirements of Public Resources Code Section 21081.6.



2.0 RESPONSE TO COMMENTS



ARNOLD SCHWARZENEGGER
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT
DIRECTOR

September 16, 2008

Jen Daugherty
Town of Mammoth Lakes
P.O. Box 1609
Mammoth Lakes, CA 93546

Subject: Holiday Haus Project
SCH#: 2008082061

Dear Jen Daugherty:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on September 12, 2008, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1.1

**Document Details Report
State Clearinghouse Data Base**

SCH# 2008082061
Project Title Holiday Haus Project
Lead Agency Mammoth Lakes, City of

Type MND Mitigated Negative Declaration

Description The project proposes a Hotel Condominium that would include a total of 91 units (135 bedrooms) that would encompass 77 condominium units (120 bedrooms) and 14 on-site workforce housing units (15 bedrooms) constructed above an underground parking structure. A single 182,431-square foot structure would house the project on the 1.55-acre site. The project would also include lock-off units. With implementation of the lock-off units, the project would encompass a total of 88 nightly rental single units and 16 nightly rental two-bedroom units for a total of 104 nightly rental units (120 bedrooms). Five building levels are proposed above three levels of underground parking. The building, garage, pavement, and patio footprints would be approximately 60 percent of the lot (40,386 square feet of the total 67,345-square foot lot). The project would provide on-site affordable housing, conference space, and year-round recreational facilities (both indoor and outdoor) for hotel guests. The project is proposed to be of modular construction. Fire access would be provided by the future Intrastar 7B Road that is anticipated to parallel the south side of the project site.

In the event that the Intrastar 7B Road is not constructed upon project implementation, the Applicant would construct a fire access road from the current proposed entry at SR-203/Main Street into the eastern portion of the project site, trending south. Should the fire access road alternative be implemented, the project would result in one fewer hotel condominium unit and one fewer affordable housing unit (76 Hotel Condominium units [119 bedrooms] and 13 affordable units [14 bedrooms]). It should also be noted that under this alternative, three one bedroom units (under the proposed project) would be changed to studio units.

Document Details Report
State Clearinghouse Data Base

Lead Agency Contact

Name Jen Daugherty
Agency Town of Mammoth Lakes
Phone (760) 934-8989 ext. 260 **Fax**
email
Address P.O. Box 1609
City Mammoth Lakes **State** CA **Zip** 93546

Project Location

County Mono
City Mammoth Lakes
Region
Lat / Long 37° 38' 53.43" N / 118° 58' 52.34" W
Cross Streets State Route 203 and Minaret Road
Parcel No. 33-110-01 and 33-110-02
Township 3S **Range** 27E **Section** 34 **Base** MDB&M

Proximity to:

Highways SR 203
Airports
Railways
Waterways Mammoth Creek
Schools Mammoth High
Land Use Commercial (C) / Commercial Lodging (CL)

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Cumulative Effects; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Growth Inducing; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife

Reviewing Agencies Resources Agency; Regional Water Quality Control Bd., Region 6 (Victorville); Department of Parks and Recreation; Native American Heritage Commission; Office of Emergency Services; Department of Fish and Game, Region 6 (Inyo & Mono Region); Department of Water Resources; California Highway Patrol; Caltrans, District 9; Cal Fire

Date Received 08/14/2008 **Start of Review** 08/14/2008 **End of Review** 09/12/2008

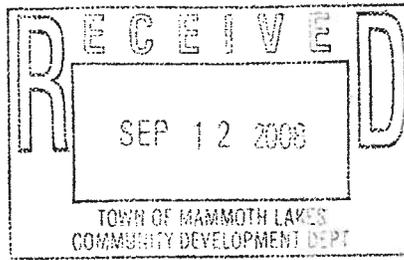


1. RESPONSES TO COMMENTS FROM STATE OF CALIFORNIA OFFICE OF PLANNING AND RESEARCH, STATE CLEARINGHOUSE, SEPTEMBER 16, 2008.

- 1-1 This comment indicates that the State Clearinghouse submitted the IS/MND to selected state agencies for review, and that the comment period for the Draft IS/MND concluded on September 12, 2008. The comment indicates that the lead agency complied with the review requirements for draft environmental documents pursuant to CEQA. As such, the comment does not provide specific comments regarding information presented in the IS/MND.

DEPARTMENT OF TRANSPORTATION

District 9
500 South Main Street
Bishop, CA 93514
PHONE (760) 872-0785
FAX (760) 872-0754
TTY 711 (760) 872-0785



*Flex your power!
Be energy efficient!*

September 10, 2008

Jen Daugherty, Associate Planner
Town of Mammoth Lakes
P.O. Box 1609
Mammoth Lakes, California 93546

File: 09-MNO
MND
SCH #: 2008082061

Dear Ms. Daugherty:

Holiday Haus - Mitigated Negative Declaration (MND)

Thank you for giving the California Department of Transportation (Caltrans) the opportunity to review the MND for the Holiday Haus project south of and directly accessing State Route 203 (SR-203/Main Street). We appreciate the previous communication that we have had with the Town on this project. We have the following comments at this time:

- Unless the project is actually going to build it (or a portion thereof), in section 2.4 Project Characteristics (page 2-10, 4.15-6 and elsewhere) it would be more correct to state that the project “assumes” the Town of Mammoth Lakes pedestrian/bicycle path, not that the project “includes” it. 2.1
- Regarding Landscaping (page 2-11 and 4.1-4): we have already commented on past project plans (resulting in driveway modification to save a large tree). As a reminder, any proposed landscape work within the State Right of Way (R/W) must be approved through the encroachment permit process. This includes removal of trees or other vegetation. In order to expedite the process in advance of the permit application, the project proponent may wish to submit a scaled plan - showing the specific location and description of the plants to be removed, to the Caltrans District Landscape Architect - R. Steve Miller. He may be contacted at (760) 872-0784 or R.Steve.Miller@dot.ca.gov . 2.2
- Clarify (or refer elsewhere) what trip reduction measures during PM peak hours the project will implement (page 4.3-9). 2.3
- We appreciate that Mitigation Measure TT-1 for fees toward a future center turn lane was added. Footnote “1” should be moved up one sentence in the paragraph (page 4.15-4). 2.4
- In section 5.0 Inventory of Mitigation Measures, item TT-1 for the center turn lane is missing. 2.5
- Thank you for performing the requested gap analysis (August 20, 2008) for Holiday Haus turn movements. However, the number of vehicle trips used in this analysis should not be reduced by the trips generated by existing projects. Although such methodology is valid to determine a project's fair share of mitigation, it does not represent the actual conditions expected at Holiday Haus build-out. Please re-run the gap analysis and delay calculations with 137 total trips (per Table 4.15.-2 of the document) to show the build-out conditions. 2.6

Jen Daugherty
September 10, 2008
Page 2

- As noted in section 2.7, permit(s) from Caltrans will be required; all facilities within State R/W shall be built to Caltrans standards under encroachment permit. At the permit application phase, we will provide detailed comments on the civil engineered plans and address any traffic control/construction staging. Stephen Winzenread, the District Encroachment Permits engineer, may be contacted at (760) 872-0674 or email: stephen.winzenread@dot.ca.gov

2.7

We value our continuing cooperative relationship with the Town regarding transportation issues for local projects. If you have any questions or would like to set up a phone conference amongst the Town, the traffic consultants and Caltrans, I may be contacted at (760) 872-0785.

Sincerely,



GAYLE J. ROSANDER
IGR/CEQA Coordinator

c: State Clearinghouse
R. Steve Miller, Steve Wisniewski; Caltrans



2. RESPONSES TO COMMENTS FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION, DATED SEPTEMBER 10, 2008.

- 2-1 The Town anticipates requiring the proposed Holiday Haus Project to implement the pedestrian/bike path as a condition of approval. The project would be required to construct the portion of the pedestrian/bike path that adjoins the northern project boundary unless an assessment is formed. Therefore, for the purposes of CEQA, this portion of the pedestrian/bike path is considered to be included as part of the proposed project.
- 2-2 As stated in Section 2.7, *Agreements, Permits, and Approvals*, on page 2-14, the project would be subject to applicable California Department of Transportation (Caltrans) permits(s). This would include the required encroachment permit administered by Caltrans. Therefore, through this required process, any proposed landscape work (including tree and other vegetation removal) within the State right-of-way (R/W) would require approval by Caltrans.
- 2-3 As required by the recommended Mitigation Measure AQ-5, "*The project shall implement trip reduction measures particularly during PM peak hours to disperse trips between areas and mountain pedestrian systems*". The following example trip reduction measures may be required to be implemented by the Applicant:
- A van pool or shuttle for the project residents and guests;
 - Require the construction of the Promenade prior to project certificate of occupancy unless an assessment district is formed that would construct this improvement;
 - Include a provision of transit service information (e.g. flyers or pamphlets that identify locations of transit stops, hours of service, etc) in condo-hotel rooms and/or lobby; and
 - Include a provision for bicycles available on-site for project residents and guests to use as well as a provision requiring on-site bicycle storage or racks.
- 2-4 The following text, in Section 4.15, *Transportation/Traffic*, on Page 4.15-4 has been revised as follows:

"Per consultation with Caltrans, a center turn lane extension would be needed in the future on SR-203.¹ Although this improvement is not part of the Town's DIF program at this time, the improvement is included as part of the Regional Transportation Plan.⁴"

In accordance with Caltrans and Town correspondence conducted during the public review period, the *Traffic Information Memorandum* (completed by LSA Associates, Inc. [LSA], dated August 20, 2008) has been updated to include a gap analysis and delay calculations. Further, per Caltrans comment 2-6, responded to below, LSA has revised the *Traffic Information Memorandum*, dated September 15, 2008 (attached), to include 137 total trips for the gap analysis and delay calculations. The revised gap analysis determined that a two-way left-turn lane is not necessary to allow adequate left-turn in/out access at the Holiday Haus site, and no mitigation measure is required. Therefore, the recommended Mitigation Measure TT-1, as identified in the Draft IS/MND, has been



removed in accordance with the revised *Traffic Information Memorandum*. Refer to Response 2-6, below.

- 2-5 It should be noted that the recommended Mitigation Measure TT-1, as identified in the Draft IS/MND, has been removed in accordance with the revised *Traffic Information Memorandum*. Refer to Response 2-4, above.
- 2-6 As stated in Response 2-4, above, the *Traffic Information Memorandum* has been revised to include 137 total trips for the gap analysis and delay calculations. The *Traffic Information Memorandum* states that the project driveway will operate with satisfactory LOS for all scenarios with the existing lane geometrics along Main Street. Main Street has sufficient gaps for vehicle ingress/egress at the project driveway. Therefore, a two-way left-turn lane is not necessary to allow adequate left-turn in/out access at the Holiday Haus site, and no mitigation measure is required. As a result the recommended Mitigation Measure TT-1, as identified in the Draft IS/MND, would not be required and has been removed.
- 2-7 Refer to Response 2-2, above.

MEMORANDUM

DATE: ~~August 20~~ September 15, 2008
TO: Jessica Morriss
FROM: Les Card and Dean Arizaba 
SUBJECT: Holiday Haus Gap Analysis

This memorandum incorporates responses to the California Department of Transportation's (Caltrans) issues with gap sufficiency on Main Street for the Holiday Haus project (based on your e-mail dated August 6, 2008). Caltrans has expressed concern regarding whether or not there are sufficient gaps along Main Street to accommodate left-turn ingress/egress at the project driveway without a two-way left-turn lane (TWLTL). To address this issue, a gap analysis has been prepared, consistent with the Highway Capacity Manual (HCM) procedures for two-way, stop-controlled (TWSC) intersections. The unsignalized project driveway (three-leg intersection) has been evaluated as a standard TWSC intersection, as the single minor street (project driveway) approach is controlled by a stop sign.

A gap analysis has been conducted in order to determine whether adequate gaps exist in the traffic stream along Main Street in the vicinity of the Holiday Haus project site and driveway. The signalized intersection of Minaret Road/Main Street is located approximately 630 feet upstream (west) of the project driveway. No signalized intersections are located downstream (east) of the project driveway within 1 mile. Based on the proximity of signalized intersections, westbound flows (i.e., vehicles approaching the project driveway and Minaret Road/Main Street) will be random and eastbound flows (i.e., vehicles departing Minaret Road/Main Street) would likely experience platooning. While the platooning of vehicles from Minaret Road/Main Street may create useful gaps for vehicles turning in/out of the driveway (i.e., northbound left and westbound left, respectively), the analysis has assumed random arrival.

Based on the Town of Mammoth Lakes level of service (LOS) criteria, an unsignalized intersection would be considered deficient (i.e., excessive delay and insufficient gaps) if an individual minor street movement operates at LOS E or F and a total minor approach delay exceeds four vehicle-hours for a single-lane approach. As shown in the TWSC summary sheets (attached), the project driveway would operate at LOS C-D for the existing and cumulative conditions. Under General Plan build-out, the project driveway would operate at LOS E-F. However, because the total minor approach delay is approximately 0.46 1.21 hours, the project driveway is not considered deficient (there are adequate gaps) during General Plan build-out conditions. The project driveway will operate with satisfactory LOS for all scenarios with the existing lane geometrics along Main Street. Main Street has sufficient gaps for vehicle ingress/egress at the project driveway. Therefore, a two-way left-turn lane is not necessary to allow adequate left-turn in/out access at the Holiday Haus site, and no mitigation measure is required.

Attachment: TWSC summary sheets

TWO-WAY STOP CONTROL SUMMARY								
General Information				Site Information				
Analyst	Dean Arizabal			Intersection	Holiday Haus Dwy/Main St			
Agency/Co.	LSA Associates, Inc.			Jurisdiction	Town of Mammoth Lakes			
Date Performed	9/15/2008			Analysis Year	Existing + Project			
Analysis Time Period	Peak Hour							
Project Description <i>Holiday Haus</i>								
East/West Street: <i>Main St</i>				North/South Street: <i>Holiday Haus Dwy</i>				
Intersection Orientation: <i>East-West</i>				Study Period (hrs): <i>0.25</i>				
Vehicle Volumes and Adjustments								
Major Street	Eastbound			Westbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)	0	1025	35	35	507	0		
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00		
Hourly Flow Rate (veh/h)	0	1025	35	35	507	0		
Proportion of heavy vehicles, P _{HV}	0	--	--	0	--	--		
Median type	Undivided							
RT Channelized?			0					0
Lanes	0	2	0	0	2	0		
Configuration		T	TR	LT	T			
Upstream Signal		0			1			
Minor Street	Northbound			Southbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)	34	0	33	0	0	0		
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00		
Hourly Flow Rate (veh/h)	34	0	33	0	0	0		
Proportion of heavy vehicles, P _{HV}	0	0	0	0	0	0		
Percent grade (%)	0			0				
Flared approach		N			N			
Storage		0			0			
RT Channelized?			0					0
Lanes	0	1	0	0	0	0		
Configuration		LTR						
Control Delay, Queue Length, Level of Service								
Approach	EB	WB	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		LT		LTR				
Volume, v (vph)		35		67				
Capacity, c _m (vph)		665		224				
v/c ratio		0.05		0.30				
Queue length (95%)		0.17		1.21				
Control Delay (s/veh)		10.7		27.8				
LOS		B		D				
Approach delay (s/veh)	--	--		27.8				
Approach LOS	--	--		D				

TWO-WAY STOP CONTROL SUMMARY								
General Information					Site Information			
Analyst	Dean Arizabal				Intersection	Holiday Haus Dwy/Main St		
Agency/Co.	LSA Associates, Inc.				Jurisdiction	Town of Mammoth Lakes		
Date Performed	9/15/2008				Analysis Year	Cumulative + Project		
Analysis Time Period	Peak Hour							
Project Description <i>Holiday Haus</i>								
East/West Street: <i>Main St</i>					North/South Street: <i>Holiday Haus Dwy</i>			
Intersection Orientation: <i>East-West</i>					Study Period (hrs): <i>0.25</i>			
Vehicle Volumes and Adjustments								
Major Street	Eastbound			Westbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)	0	1031	35	35	688	0		
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00		
Hourly Flow Rate (veh/h)	0	1031	35	35	688	0		
Proportion of heavy vehicles, P _{HV}	0	--	--	0	--	--		
Median type	Undivided							
RT Channelized?			0			0		
Lanes	0	2	0	0	2	0		
Configuration		T	TR	LT	T			
Upstream Signal		0			1			
Minor Street	Northbound			Southbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)	34	0	33	0	0	0		
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00		
Hourly Flow Rate (veh/h)	34	0	33	0	0	0		
Proportion of heavy vehicles, P _{HV}	0	0	0	0	0	0		
Percent grade (%)	0			0				
Flared approach		N			N			
Storage		0			0			
RT Channelized?			0			0		
Lanes	0	1	0	0	0	0		
Configuration		LTR						
Control Delay, Queue Length, Level of Service								
Approach	EB	WB	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		LT		LTR				
Volume, v (vph)		35		67				
Capacity, c _m (vph)		661		209				
v/c ratio		0.05		0.32				
Queue length (95%)		0.17		1.32				
Control Delay (s/veh)		10.8		30.1				
LOS		B		D				
Approach delay (s/veh)	--	--		30.1				
Approach LOS	--	--		D				

TWO-WAY STOP CONTROL SUMMARY								
General Information				Site Information				
Analyst	Dean Arizabal			Intersection	Holiday Haus Dwy/Main St			
Agency/Co.	LSA Associates, Inc.			Jurisdiction	Town of Mammoth Lakes			
Date Performed	8/20/2008			Analysis Year	General Plan + Project			
Analysis Time Period	Peak Hour							
Project Description <i>Holiday Haus</i>								
East/West Street: <i>Main St</i>				North/South Street: <i>Holiday Haus Dwy</i>				
Intersection Orientation: <i>East-West</i>				Study Period (hrs): <i>0.25</i>				
Vehicle Volumes and Adjustments								
Major Street	Eastbound			Westbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)	0	1245	35	35	1185	0		
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00		
Hourly Flow Rate (veh/h)	0	1245	35	35	1185	0		
Proportion of heavy vehicles, P _{HV}	0	--	--	0	--	--		
Median type	Undivided							
RT Channelized?			0				0	
Lanes	0	2	0	0	2	0		
Configuration		T	TR	LT	T			
Upstream Signal		0			1			
Minor Street	Northbound			Southbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)	34	0	33	0	0	0		
Peak-hour factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00		
Hourly Flow Rate (veh/h)	34	0	33	0	0	0		
Proportion of heavy vehicles, P _{HV}	0	0	0	0	0	0		
Percent grade (%)		0			0			
Flared approach		N			N			
Storage		0			0			
RT Channelized?			0			0		
Lanes	0	1	0	0	0	0		
Configuration		LTR						
Control Delay, Queue Length, Level of Service								
Approach	EB	WB	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		LT	LTR					
Volume, v (vph)		35	67					
Capacity, c _m (vph)		549	123					
v/c ratio		0.06	0.54					
Queue length (95%)		0.20	2.61					
Control Delay (s/veh)		12.0	64.8					
LOS		B	F					
Approach delay (s/veh)	--	--	64.8					
Approach LOS	--	--	F					

HCS2000™

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Version 4.1d

Total Minor Street Approach Delay

$$64.8 \text{ sec/veh} \times 67 \text{ veh} \div 3600 \text{ sec/hour} = 1.21 \text{ hours}$$

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION

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September 9, 2008

Ms. Jen Daugherty
TOWN OF MAMMOTH LAKES
 P.O. BOX 1609
 Mammoth Lakes, CA 93546

Re: SCH#2008082061: CEQA Notice of Completion; proposed Mitigated Negative Declaration for the Holiday Haus Project, Town of Mammoth Lakes, Mono County, California

Dear Ms. Daugherty:

The Native American Heritage Commission (NAHC) is the state agency designated to protect California's Native American Cultural Resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c) (CEQA guidelines). Section 15382 of the 2007 CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

- √ Contact the appropriate California Historic Resources Information Center (CHRIS) for possible 'recorded sites' in locations where the development will or might occur. Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916/653-7278)/ <http://www.ohp.parks.ca.gov>. The record search will determine:
 - If a part or the entire APE has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded in or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- √ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- √ The Native American Heritage Commission (NAHC) performed:
 - A Sacred Lands File (SLF) search of the project 'area of potential effect (APE)': The results: No known Native American Cultural Resources were identified. However the NAHC SLF is not exhaustive and local tribal contacts should be consulted from the attached list.
 - The NAHC advises the use of Native American Monitors, also, when profession archaeologists or the equivalent are employed by project proponents, in order to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact (APE). In some cases, the existence of a Native American cultural resources may be known only to a local tribe(s).
- √ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - A culturally-affiliated Native American tribe may be the only source of information about a Sacred Site/Native American cultural resource.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.

3.1

√ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.

* CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.

√ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American.

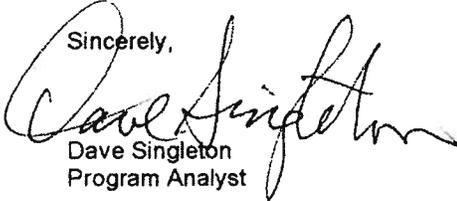
Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.

√ Lead agencies should consider avoidance, as defined in §15370 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation

3.1

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,



Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Cc: State Clearinghouse

Native American Contacts

Mono County

September 9, 2008

Benton Paiute Reservation
Mike Keller, Chairperson
Star Route 4, Box 56-A
Benton, CA 93512
Paiute
numic@qnet.com
(760) 933-2321
(760)933-2412

Big Pine Band of Owens Valley THPO
Bill Helmer, Tribal Historic Preservation Officer
P.O. Box 700
Big Pine, CA 93513
Paiute
amargosa@aol.com
(760) 938-2003
(760) 938-2942 fax

Big Pine Band of Owens Valley
David Moose, Chairperson
P. O. Box 700
Big Pine, CA 93513
Owens Valley Paiute
bigpinetribaladmin@earthlink.
(760) 938-2003
(760) 938-2942-FAX

Bishop Paiute Tribe THPO
Theresa Stone-Yanez
50 Tu Su Lane
Bishop, CA 93514
Paiute - Shoshone
(760) 873-3584, Ext 250
(760) 397-8146 -cell
(760) 873-4143 - FAX

Bridgeport Paiute Indian Colony
Art Sam, Chairperson
P.O. Box 37
Bridgeport, CA 93517
Paiute
bicgovadm@yahoo.com
(760) 932-7083
(760) 932-7846 Fax

KutzadikaA Indian Community Cultural Presv. Assn.
Raymond Andrews, Chairman
P.O. Box 591
Bishop, CA 93515
Paiute
(760) 873-8145

Mono Lake Indian Community
Charlotte Lange, Chairperson
P.O. Box 117
Big Pine, CA 93513
Mono
Northern Paiute
(760) 938-1190

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2008082061; CEQA Notice of Completion; proposed Mitigated Negative Declaration for the Holiday Haus Project; Town of Mammoth Lakes; Mono County, California.



3. RESPONSES TO COMMENTS FROM THE NATIVE AMERICAN HERITAGE COMMISSION, DATED SEPTEMBER 9, 2008.

3-1 As discussed in Section 4.5, *Cultural Resources*, of the Draft IS/MND, there are no reported significant cultural resources or heritage resources located on the project site.¹ Eight recorded cultural resource studies have been conducted within approximately 0.5 mile of the project site. Of these eight previously recorded studies, the project site and adjoining areas are not included. Thus, as no previous studies have been conducted within the project site, the project would result in no impacts to previously recorded cultural resources located within the boundaries of the project site.

No conditions exist that suggest human remains are likely to be found on the project site. Due to the level of past disturbance on-site, it is not anticipated that human remains, including those interred outside of formal cemeteries, would be encountered during earth removal or disturbance activities. If human remains are discovered during the construction process, the Mono County Coroner's office would be notified immediately (California Health and Safety Code §7050.5) and all activities in the immediate area of the find would cease until appropriate and lawful measures have been implemented. If the Coroner determines that the remains are Native American, the Coroner would contact the NAHC (California Public Resources Code §5097.98). The NAHC would designate a Most Likely Descendent who will make recommendations concerning the disposition of the remains in consultation with the lead agency and project archaeologist.

Mitigation Measure CUL-1 includes provisions if cultural materials or archaeological remains are encountered during the course of grading or construction, which includes retaining a qualified archaeologist to evaluate the significance of the resources and recommend appropriate treatment measures (e.g. avoidance, preservation, removal, data recovery, protection, etc).

It should be noted that the project does not involve a Specific Plan or General Plan Amendment, and therefore is not subject to the statutory requirements of Senate Bill 18 (Chapter 905, Statutes of 2004). It should be further noted that the project has complied with the public review requirements as set forth by the California Environmental Quality Act (CEQA) Guidelines (CEQA Guidelines Sections 15073, 15072, and Public Resources Codes 21092.3 and 21091 (b)). The Native American Heritage Commission was also notified during the 30-day Draft IS/MND public review period.

¹ Appendix E of the Sierra Star Master Plan Draft SEIR, *Cultural Resources Study for the Sierra Star Master Plan*, May 2006

Advocates for Mammoth P.O. Box 2005 Mammoth Lakes, CA 93546

September 12, 2008

Ms. Jen Daugherty
 Associate Planner
 Town of Mammoth Lakes
 PO Box 1609
 Mammoth Lakes, CA 93546

Re: Advocates for Mammoth Review of and Comments on Holiday Haus Draft Initial Study/Negative Declaration

Dear Ms. Daugherty,

Based on a review of this document our evaluation is that the project as described with the specified mitigations will cause a significant impact on the environment of Mammoth Lakes, and the Town should reject the draft and request either significant changes in the project and/or a full EIR to demonstrate that the project truly conforms. This project does not meet the "town character" requirements as expressed in either the 1987 or the 2007 General Plans, and does not meet the current zoning codes. The project as proposed can best be summed up as too massive, too tall, too dense and it does not respect the Community's wishes to remain a "village in the trees".

4.1

We believe some of these problems could have been avoided if the applicant had chosen to apply under the new General Plan, rather than requesting evaluation under the 1987 Plan, a document that had been under revision for about 5 years. The time frame of this application and when it was judged adequate by the Town should be carefully documented in order to determine which General Plan should rightfully be applied to evaluate this project.

Staff should take a definitive position with an explanation on this issue.

The principle advantage to the Town, and the Applicant, of using the 2007 General Plan is that the project would have fallen under the district planning process and the appropriate character and neighborhood compatibility would have been determined before the environmental process. The flexibility of the district planning process might allow the Applicant some of the variations he proposes if they meet the district plan character and vision. Since the Applicant has chosen to avoid this process by proceeding under the 1987 General Plan the project should be evaluated to the letter of the Plan and codes with no exceptions, including optional Town giveaways such as double density for under structure parking. The height limit should also be strictly adhered to. The building should include the varied height, interesting roofline, etc. and still maintain the height limit in our codes. If the code had meant 45 feet plus about 20%, then that is the way the code would have been written. It was not.

4.2

All of the important details of the 2007 Plan were established and known many months before the final Plan was approved by the Town Council. It appears the 2007 Plan, the Plan that better expresses the Community's vision for the Town, was deliberately avoided. The Applicant should not be rewarded for circumventing the Community's wishes and they should be granted no concessions by the Town.

Some of our detailed comments on the document and its analysis, proposed mitigations and conclusions follow.

1.0 INTRODUCTION

In the discussion on conversion of hotel units to condominiums, which town code does not allow, the second paragraph of page 2-4 indicates this is exactly what will occur. We believe that since the existing units pay TOT they are certainly hotel units. Since the new units will be classified condo-hotel units, which we believe the Town is still trying to define, the Applicant should justify this apparent violation and/or ask for an exemption.

4.3

4.0 ENVIRONMENTAL ANALYSES

4.1. AESTHETICS – Scenic Vistas

Since the applicant does not supply any renditions, models or computer simulations of what the project will look like or what the viewsheds are with and without this massive tall building it is impossible to verify the applicants claim that there will be no impact with mitigation. It is also not demonstrated how the proposed mitigations will lessen the impact on scenic vistas.

4.4

The discussion of trees and vegetation on page 4.1.4 is completely out of touch with the Towns vision of maximizing tree retention (particularly large trees) and replanting with native species. The project proposes to replace two hundred year old Jeffrey Pines having diameters up to 48 inches (a 48 diameter tree must be well over 100 feet tall and 300 years old!) with an assortment of 97 deciduous and evergreen trees, apparently of mostly nonnative species and unspecified size. This is a woefully inadequate mitigation. The heights of the trees to be removed should be discussed and the specific effects on the viewsheds and character of the neighborhood should be illustrated and adequate mitigations proposed.

4.5

Height: see our introductory comments. There is no reason to allow any exception or variance on height. Is the extra 10 feet for understructure parking discretionary like the double density?

4.6

AESTHETICS -2 Some residential areas north of 203 will be above the structure. The aesthetics of the roofs from that viewpoint should be considered.

4.7

c)...DEGRADE VISUAL CHARACTER....

This massive five story structure cannot avoid having a large negative impact. The acceptability of this should be analyzed in detail and mitigations proposed, if any can be found. If unmitigatable it should be declared as such and left to the decision makers to see if they can find any overriding considerations.

4.8

g) LIGHTING

There is much discussion but bottom line it appears that it will be just a business as usual project, as happened with the earlier Weston project, which caused a lot of consternation and many retrofixes. The Town needs to understand that the Community is serious about dark skies and trespassing light. The statement that it will be no worse than current project is unacceptable, particularly given that the current hotel has some terrible unshielded lights and light trespass. The discussion on spillover on page 4.1.12 illustrates the lack of understanding. Spillover is trespass and is illegal.

4.9

4.3.6 AREA SOURCE EMISSIONS

This section discusses natural gas which we do not have. We assume they mean propane.

4.10

4.4 BIOLOGICAL RESOURCES

The Sierra star DEIR has yet to be completed with response to comments and certification. Since some of these comments were on Biological Resources the draft should not be used as a reference.

4.11

4.7.4 g) EMERGENCY EVACUATION

Town has recently initiated studies under the in work Mobility plan that may show additional out of town routes are required.

4.12

4.9 LAND USE AND PLANNING.

Noncompliance with height requirements should be discussed and the use of double density assumably for understructure parking needs to be justified.

4.13

4.12 POPULATION AND HOUSING

Page 4.12.1 (last paragraph) The town objective is to house 80% of its workers in town not 25%.
Page 4 12.2 To dismiss PAOT discussions because the project only results in a 1% increase is based on a PAOT of 60,000 and is not acceptable. The acceptable PAOT in the new General Plan is 52,000, not 60,000, and therefore the amount of increase contributed by this project is not insignificant and must be analyzed and mitigated if necessary.

4.14

5.4 MITIGATIONS – CULTURAL-1

Workers doing ground disturbances must be given some training to recognize and protect cultural material, or a trained and qualified site monitor must be present.

4.15


John Walter, Chair
ADVOCATES FOR MAMMOTH



4. RESPONSES TO COMMENTS FROM THE ADVOCATES FOR MAMMOTH, DATED SEPTEMBER 12, 2008.

- 4-1 In accordance with CEQA (Public Resources Code Sections 21000-21177) and pursuant to Section 15063 of Title 14 of the California Code of Regulations (CCR), and based on the information and environmental analysis contained in the Initial Study and Environmental Checklist, the Town of Mammoth Lakes (Town) has found that the proposed project could have a significant effect on a number of environmental issues, but that mitigation measures specified in the IS/MND would reduce such impacts to a less than significant level. Therefore, as no significant and unavoidable impact would occur with implementation of the proposed project, preparation of an Environmental Impact Report (EIR) is not required.

As stated in Section 4.9, *Land Use and Planning*, the proposed project would not conflict with the relevant policies and regulations of the *1987 General Plan*, Land Use and Public Facility Element and the Land Use District Section. Also, the project would comply with the Town's standards for the Commercial Lodging (CL) Zone while utilizing State Density Bonus law. For the provision of affordable housing, State Density Bonus law prescribes density bonuses and incentives or concessions (e.g. building height increase) that would not require a general plan amendment, zoning change, or other discretionary approval (Government Code 65915.k). Therefore, project implementation would not conflict with the relevant policies and regulations of the *1987 General Plan* or Town's Zoning Code. The project is not subject to the *Town of Mammoth Lakes General Plan 2007 (2007 General Plan)* (refer to Response 4-2 below).

As stated in Section 4.1, *Aesthetics*, while the proposed project would alter the character of the project site, it would not substantially degrade the site or its surroundings. The scale and character of the proposed project would be similar to those of the commercial lodging uses in the area and workforce housing units to the east. The overall color scheme and architectural details would be determined through analysis of the Town Design Guidelines and by the Town's Advisory Design Panel, subject to approval by the Town's Planning Commission. During these processes, the project would incorporate architectural details that would enhance the visual quality of the site and surrounding area. Also, the project would be required to integrate all appurtenances (i.e., meters, roof vents and electrical equipment, etc.) into the project design in order to minimize visual detection by pedestrians, travelers along SR-203/Main Street, and nearby properties (Mitigation Measure AES-2). Therefore, following compliance with the Town's Municipal Code standards, Design Guidelines, and recommended Mitigation Measures AES-1 through AES-5, the project would not substantially degrade the existing visual character or quality of the site and its surroundings.

Also, the Town limits building heights to 45 feet (including a 10-foot discretionary height bonus for understructure parking). The project proposes a maximum of five stories with understructure parking and roof planes ranging from approximately 35² to 51 feet, thereby exceeding the building height limitation for the Commercial Lodging (CL) Zone (45 feet). However, only 0.5 percent of the total volume of the building would exceed 45 feet, and would be no taller than a maximum of 51.16 feet above existing grade (or up to

² Applicant has revised roof planes based on the Town's Advisory Design Panel comments. Lowest roof plane is approximately 35 feet above natural grade.



52.08 feet with roof appurtenances).³ The building height proposed by the project is considered a less than significant aesthetic impact due to proposed architectural design (i.e., height variations and varying building materials and colors) and the existing topographic conditions and trees that would reduce the visible massing and scale of the proposed structure. The proposed building would remain below the tree canopy because the existing tree canopy is approximately 65 feet (maximum height of structural features would be 52.08 feet). In addition, the majority of trees along the north side of the property would not be removed, which would preserve the east/west views along the project site and SR-203/Main Street. Therefore, upon project implementation, the tree canopy would remain visible above the proposed maximum 51.16-foot structure and existing views up and down SR-203/Main Street would not be significantly impacted.

- 4-2 The comment claims that the Applicant should have chosen to apply under the new General Plan, rather than “requesting evaluation under the *1987 General Plan*.” It should be noted that California State law prescribes that the *1987 General Plan* shall apply to this project, regardless of the Applicant’s request.

The Applicant submitted the application for this project to the Town in September 2005, and the project has been in process since that time. The Town determined that the application was complete on April 18, 2007. Pursuant to Government Code Section 66474.2, therefore, the Town must apply only those ordinances, policies, and standards in effect on April 18, 2007. The *1987 General Plan* was in effect on April 18, 2007. Therefore, the project must be evaluated under the *1987 General Plan* in accordance with Government Code Section 66474.2. Refer to Response 4-1. Also, the comment claims that “[t]he principle advantage to the Town, and the Applicant, of using the *2007 General Plan* is that the project would have fallen under the district planning process ...” However, even if the project were to be evaluated under the *2007 General Plan*, the district planning process would not apply because the project is not requesting a legislative action (e.g. zone code or general plan amendment).

The comment also states that: “[t]he applicant should not be rewarded for circumventing the Community’s wishes and they should be granted no concessions by the Town.” The Town is obligated to grant the applicant no less than one concession pursuant to the State Density Bonus law.

The State Density Bonus law is set forth in Section 65915 of the Government Code. When a project seeks to provide affordable housing in accordance with Section 65915, the local government must provide the applicant incentives or concessions as specifically prescribed in the statute. The applicant has submitted a request for one concession to increase the height of the project by less than 0.5 percent of the total volume of the building, which equates to approximately six feet or less over portions of the building. The Town must grant this request unless the Town makes specific findings as set forth in the code. If the Town wishes to deny the request for the increase in height, then the Town must make such written findings and grant an alternative concession to the Applicant.

Refer to Response 4-1, above, regarding impacts from increased building heights.

³ Note that upon approval of the State Density Bonus height concession request, the project would be allowed to extend 6.16 feet above the permitted height. Additionally, the proposed roof appurtenances would adhere to the allowable two feet above the allowable height.



- 4-3 The Town Code allows for the conversion of hotel (i.e., transient) units to condominiums; however, the Code does not allow for the conversion of nontransient rental units to condominium units (Municipal Code 17.52). The project would not convert existing nontransient rental units to condominium units, as the existing units are transient motel units for which transit occupancy tax (TOT) is being paid to the Town. Therefore, the project would not be violating Municipal Code 17.52.
- 4-4 As stated in Response 4-1, above, views up and down SR-203/Main Street would not be negatively impacted due to the trees that would be preserved and because the existing tree canopy would remain visible above the proposed maximum 51.16-foot structure after project implementation. The mass of the building would also be reduced due to on-site and surrounding topographic conditions. Additionally, as stated in Section 4.1, Aesthetics, with implementation of the recommended Mitigation Measure BIO-3, the project would be designed to conform with the Municipal Code such that existing trees and vegetation are preserved to the maximum extent possible and the value of the trees removed shall be incorporated into replacement trees.

With implementation of Mitigation Measure AES-1, the landscape design would ensure that the project is consistent with the Municipal Code Chapter 17.20.040, property development standards, which includes Section 17.20.040(H), *Vegetation*. The proposed landscaping would enhance the character of the on-site development and would be required to be compatible with, and complementary to, the natural environment in Mammoth Lakes and the surrounding region. Landscape plans would use drought tolerant plant species that are native to the eastern Sierra. All non-native vegetation would be drought tolerant and compatible with the native landscape character. Trees and shrubs would generally be grouped in masses rather than uniformly placed.

Project structures would be designed to be consistent with the designs and materials that have been previously determined appropriate to the project area through the Town's adopted Design Guidelines. Prominent roof appurtenances would also be minimized to the maximum extent possible (recommended Mitigation Measure AES-2, as stated in the Draft IS/MND).

With implementation of Mitigation Measures AES-1 and AES-2, as recommended in the Draft IS/MND, and applicable Town Municipal Code standards and Design Guidelines, which would regulate building height, massing, and placement, project implementation would not have a substantial adverse effect on scenic vistas, including southern views toward the Sherwin Range from the North Village viewshed area. Impacts pertaining to scenic vistas are considered to be less than significant with implementation of recommended mitigation measures AES-1, AES-2, and BIO-3.

Also, project renderings and video drive-bys of the proposed project were made available on the Town's website on September 19, 2008. The website is <http://www.ci.mammoth-lakes.ca.us/comdev/HOLIDAY%20HAUS/Holiday%20Haus.htm>.

- 4-5 As stated in Section 4.1, Aesthetics, the proposed project would remove approximately 80 trees (a maximum diameter of 36 inches) in order to construct the proposed Hotel Condominium facility. Approximately 120 trees (a maximum diameter of 48 inches) would be removed as a result of the future Intrastar 7B Road, located along the southern boundary of the project site. Therefore, approximately 200 trees that would be required



to be removed and would range in diameter from 3 to 48 inches. Note that the future Intrastar 7B roadway is already a planned future roadway and will be required for other future developments. Therefore, the 120 trees in the vicinity of the project are already being planned to be removed, regardless if the Holiday Haus Project is implemented or not. Many trees along SR-203/Main Street and along the western and eastern boundaries would remain after implementation of the proposed Holiday Haus Project to provide perimeter screening.

Municipal Code Section 17.20.040(H), *Vegetation*, requires the preservation of existing trees and vegetation within commercial zones to the maximum extent possible. As implementation of the Holiday Haus Project would remove approximately 80 trees, the project proposes to replace 97 deciduous and evergreen trees within the boundaries of the project site. Although some mature trees would be removed, the project would plant a variety of tree species on-site (i.e., Amur Maple, Mountain Alder, Quaking Aspen, White Fir, Colorado Spruce, and Jeffrey Pine). Additionally, many existing trees would remain within the existing State R/W along SR-203/Main Street, which would preserve similar views within the North Village viewshed area. Trees would be planted around the proposed structure in order to maintain the existing forested character of the surrounding area and further screen the proposed structure from views within the North Village viewshed area.

The project has the potential to conflict with the intent of some Town policies regarding tree removal. The Jeffrey pines that are present on-site contain specimens that meet the minimum size (six inches in diameter) requiring Town approval for removal. With implementation of Mitigation Measure BIO-3, as revised below, the project would be designed to conform with the Municipal Code such that existing trees and vegetation are preserved to the maximum extent possible:

BIO-3 Prior to the removal of any trees greater than six inches in diameter, a final analysis of the value of trees removed shall be prepared by a licensed forester or arborist. Prior to removal of any trees greater than six inches in diameter a development permit or a tree removal permit must be approved by the Town. The value of the trees removed shall be incorporated into tree replacement trees which shall be planted within the project area, or off-site; as may be approved by the Community Development Director.

With implementation of BIO-3, a development permit or a tree removal permit is required and must be approved by the Town. With implementation of the recommended Mitigation Measure BIO-3, impacts pertaining to tree removal would be reduced to less than significant levels.

- 4-6 The project site is located within the CL Zone which allows for up to 35 feet for building heights. However, the Town Code states that there may be a building height bonus of 10 additional feet with implementation of understructure parking subject to the Planning Commission's discretion. With this discretionary building height bonus, the proposed buildings would be allowed to extend to 45 feet. Refer also to Response 4-1, above.
- 4-7 The potential view impacts from the Viewpoint Condominiums are included in Section 4.1, Aesthetics. With implementation of Mitigation Measures AES-1 and AES-2, and applicable Town Municipal Code standards and Design Guidelines, which would regulate



building height, massing, and placement, project implementation would not have a substantial adverse effect on scenic vistas, including southern views toward the Sherwin Range from the North Village viewshed area. As stated in Section 4.1, *Aesthetics*, page 4.1-1, the Viewpoint Condominiums are located within the North Village viewshed area.

- 4-8 Refer to Response 4-1, above.
- 4-9 As stated in Section 4.1, *Aesthetics*, the project may create light spillover onto The Chutes to the east and glare impacts to the Viewpoint Condominiums to the north. However, with implementation of recommended Mitigation Measures AES-8 and AES-9, the project Applicant would be required to provide the Town with a foot-candle map illustrating the amount of light from the project site at adjacent light sensitive receptors so the Town can ensure project conformance with the Town's Outdoor Lighting Ordinance (Municipal Code 17.34). Also, proposed building materials (including cladding and windows) would be required to be low-reflectivity and to minimize reflective glare impacts to the maximum extent possible (AES-9). With implementation of the Town's requirements of Code Sections 17.34.050 and 17.34.060 and the recommended Mitigation Measures AES-8 and AES-9, these impacts would be reduced to less than significant levels, as light spillover onto adjacent uses would no longer occur.
- 4-10 All references to "natural gas" in Section 4.3, *Air Quality*, will be changed to "propane" (see pages 4.3-6 and 4.3-7). These changes will not affect the recommended mitigation measures, nor will it change the findings within Section 4.3, *Air Quality*.
- 4-11 As stated in Section 1.0, *Introduction*, RBF has incorporated by reference the *Sierra Star Draft Environmental Impact Report* (Sierra Star DEIR), including technical studies prepared for the Sierra Star DEIR. RBF did not solely rely on the *Sierra Star DEIR*, but also incorporated information from the Town's *2005 General Plan Update Final Program EIR* (2005 General Plan Update FPEIR) and the Town's Municipal Code, in consultation with the Town and the California Department of Fish and Game (CDFG) (refer to the attached Letter 7 and Responses 7-1 through 7-3).
- 4-12 The Town is in the process of preparing the Mobility Plan, which is anticipated to be completed and approved in 2009. The Mobility Plan is expected to analyze potential future roadway alternatives for emergency access and evacuation, as well other mobility and connectivity issues. Since the Mobility Plan is not complete at this time, and therefore has not yet been approved, it is inappropriate to incorporate it into the IS/MND. However, adequate emergency access to the proposed project will be provided through either implementation of the new fire access road, the Intrastar 7B Road, or through the Alternative Fire Access Plan.
- 4-13 Refer to Responses 4-1 and 4-2, above. Also as stated in Section 4.1, *Aesthetics* and Section 4.9, *Land Use and Planning*, The height proposed by the project is considered a less than significant impact, based on the following factors:
- The roof design includes varying heights.
 - The building would be setback approximately 82 feet from SR-203.
 - The structure would be articulated to break up the massing of the building.
 - The tallest point of the structure would be farthest from SR-203.



- The increase in height above the 45 feet is a request consistent with State Density Bonus Law and only 0.5 percent of the total building volume would exceed 45 feet, and would be no taller than 51.16 feet.
- Existing topography and tree heights minimize the impacts of the building height.
- The proposed project would result in less than significant impacts regarding scenic vistas and visual character; refer to Responses 4.1, 4.4, 4.5 and 4.7.

The Town's Planning Commission will discuss the justification(s) for increased project density of up to 80 rooms per acre at time of the public hearing for the project, at which time, the Planning Commission will also consider this IS/MND that analyzes the physical impacts of the proposed project.

- 4-14 For analysis purposes of this IS/MND, it was assumed that 25 percent of the workforce population would relocate to Mammoth Lakes upon project completion. However, to be more conservative, the analysis will be modified to reflect a 100 percent re-location to Mammoth Lakes. Therefore the text in Section 4.12, Population and Housing, pages 4.12-1 and 4.12-2 will be revised as follows: "...if ~~25~~ 100 percent of the project's 27 FTEE were to relocate to the Town, the project could potentially result in a population increase of approximately ~~7~~ 27 persons. Overall, the project's PAOT, based on a seasonal population increase of 308 persons and a permanent population increase of ~~7~~ 27 persons, would be approximately ~~345~~ 335 persons. However, approximately 72 persons are currently located at the project site. Therefore, it is anticipated that the project would contribute a net total of ~~243~~ 263 persons. Although the Holiday Haus project is not subject to the *2007 General Plan*, for analysis purposes, if the threshold of the Town's current goal of 52,000 PAOT by 2025 is utilized, the project would contribute approximately 0.5 percent of the anticipated growth. Therefore, the project's PAOT would not result in substantial unanticipated growth. Additionally, the proposed project would comply with the maximum allowable density restrictions established per the *1987 General Plan* and Town Code, while utilizing a density bonus prescribed State Density Bonus Law 65915-65917." As concluded in Section 4.12, Population and Housing, impacts in this regard are less than significant.
- 4-15 As stated in Section 4.5, Cultural Resources, Mitigation Measure CUL-1 has been included to ensure the protection of any culture resources that may be encountered during construction activities. As indicated in Mitigation Measure CUL-1, a qualified archaeologist, approved by the Town, would be retained if any cultural materials are encountered. Also, refer to Response 3-1, above.

From: Sharon Clark [srclark@npgcable.com]
Sent: Friday, September 12, 2008 4:47 PM
To: Jen Daugherty
Subject: Holiday Haus

Follow Up Flag: Follow up
Flag Status: Red

Having read the Holiday Haus Draft Study/Mitigated Negative Declaration, I am now puzzled. Does this Mitigated Negative Declaration mean there will not be a EIR? If so, I believe that is a grave mistake.

While it is true that improvement on this property is a plus for our community, we should not settle for "just any improvement". The improvement should adhere to our guidelines.

There is a *great* environmental impact to the Town of Mammoth Lakes for a development that grows from 14,594 sq ft to 182,431 sq ft, from 18 units to 91 units, from a few stories to *5, _five_ *stories high, and that will remove 200 trees. The removal of trees with a diameter of 3 inches to 4 feet should in itself be sufficient for a full EIR. Somehow, there will be 97 of these trees replaced and that 'mitigates' the 200 trees removed? I don't think so. There was no mention of the size of these 97 replacement trees...while on site trees are trophy trees and should be spared at all costs.

5.1

I was very disappointed with the Project Description. I do not believe that in any way it reflects the "mountain character" of our "village in the trees". The Viewpoint Condos will have a totally changed viewscape of (according to the exhibit 2-4) glass and ugly protrusions /all over the roof!/. The east and west facing views are simply boring walls. There is no way this project measures up to other aesthetically pleasing buildings in our town.

5.2

Through out this report I was concerned about mitigation measures that ended with "where feasible". This wording leaves too many loop holes for the project that might not meet our standards.

5.3

A few specific comments: 5.0 Inventory of Mitigation Measures
AES - 8 WHY does TOML need to prepare and submit an outdoor lighting plan to the CDD. It is the responsibility of the petitioner to abide by the TOML _Outdoor Lighting Plans_ of the Municipal Code.
AES - 9 This statement is fine /*IF*/ the last four words were erased: "to the extent feasible". Those 4 words become very slippery.
BIO - 1 Either the bats will be present or not...but the 50 foot buffer exclusion will do little to protect them if they are present. The comments here contradict each other.
BIO - 2 Who verifies that pre-construction surveys for the birds have occurred?
CUL - 1 Who will determine if cultural or archaeological remains are encountered?
USS - 1 This decision would and should be clearly answered by an appropriate EIR.

5.4

Sharon R. Clark

--
Sharon R. Clark
SharonR.Clark@gmail.com
760-924-5639



5. RESPONSES TO COMMENTS FROM SHARON CLARK, DATED SEPTEMBER 12, 2008.

5-1 Refer to Response to Comment 4-1, for responses to Aesthetics and Land Use concerns. Also, refer to Response to Comment 4-5, regarding potential impacts resulting from tree removal. The project has the potential to conflict with the intent of some policies in the Town's Code regarding tree removal. The Jeffrey pines that are present on-site contain specimens that meet the minimum size (six inches in diameter) requiring Town approval for removal. However, with implementation of Mitigation Measure BIO-3, the project would be designed to conform with the Municipal Code such that existing trees and vegetation are preserved to the maximum extent possible and the value of the trees removed shall be incorporated into replacement trees. Therefore, with implementation of the recommended Mitigation Measure BIO-3 and the Town's Municipal Code, impacts in this regard would be reduced to less than significant levels.

5-2 As stated in Response to Comment 4-1, the overall color scheme and architectural details would be determined through analysis of the Town Design Guidelines and by the Town's Advisory Design Panel, subject to approval by the Town's Planning Commission. During these processes, the project would incorporate architectural details that would enhance the visual quality of the site and surrounding area. Also, the project would be required to integrate all appurtenances (i.e., meters, roof vents and electrical equipment, etc.) into the project design in order to minimize visual detection by pedestrians, travelers along SR-203/Main Street, and nearby properties. Also refer to Response 4-7.

5-3 In accordance with *CEQA Guidelines*, Section 15097, a Mitigation Monitoring and Reporting Program, Section 3, below, has been prepared. Per the *CEQA Guidelines*, it is at the discretion of the Town, as the Lead Agency, to monitor the implementation of the recommended mitigation measures. Monitoring procedures will vary according to the type of mitigation measure. Adequate monitoring consists of demonstrating that monitoring procedures took place and that mitigation measures were implemented. This includes the review of all monitoring reports, enforcement actions, and document disposition, unless otherwise noted in the attached Mitigation Monitoring and Reporting Program table. If an adopted mitigation measure is not being properly implemented, the designated monitoring personnel shall require corrective actions to ensure adequate implementation.

Mitigation measures AES-2, AES-3, AES-9, and N-1 have been revised to state "to the maximum extent possible" instead of "where/when/to the extent feasible." It will be at the Town's discretion to ensure that these mitigation measures have been satisfied "to the maximum extent possible." In addition, CEQA Guidelines Section 15126.4(a) states that a mitigation measure must be fully enforceable. In the case of Aesthetics, nine mitigation measures are included to reduce aesthetic impacts to less than significant.

5-4 The recommended Mitigation Measure AES-8 shall be revised as follows:

AES-8 The ~~Town~~ Applicant shall prepare and submit an outdoor lighting plan pursuant to the Town's Lighting Ordinance (Chapter 17.34.050, General Requirements, and Chapter 17.34.060, Outdoor Lighting Plans, of the Municipal Code) to the Community Development Director that includes a foot-



candle map illustrating the amount of light from the project site at adjacent light sensitive receptors.

Refer to Response 5-3, above for the Response to Comment regarding Mitigation Measure AES-9.

RBF incorporated information from the Sierra Star DEIR, *2005 General Plan Update FPEIR*, and the Town's Municipal Code, in consultation with the Town and the CDFG (refer to the attached Letter 7 and Responses 7-1 through 7-3). The Town, in consultation with the CDFG would be required to enforce/monitor the recommended Mitigation Measure BIO-2.

During construction activities, should the construction manager encounter cultural/archaeological remains, compliance with the recommended Mitigation Measure CUL-1 would reduce potential impacts to less than significant levels. Refer to Response 3-1, with regard to encountering cultural/archaeological remains.

According to correspondence with the MCWD, at this time sufficient water supplies and wastewater capacity currently exists to furnish the proposed project.⁴ However, if the MCWD determines that, at time of implementation, the project would result in a water demand in excess of available supplies, the project would not be approved by the Town. The Town would work with the MCWD to ensure that the development of necessary water supply sources is established prior to approval of the proposed project. With implementation of the recommended mitigation (USS-1), project implementation would result in a less than significant impact regarding the availability of sufficient water supplies. Therefore, as these impacts are reduced to less than significant levels with implementation of USS-1, per the *CEQA Guidelines*, as amended, and used by the Town of Mammoth Lakes in its environmental review process, the project would not require preparation of an EIR.

⁴ Mammoth Community Water District, Mr. Gary Sisson, General Manager, Correspondence Letter dated May 23, 2008.



Mammoth Lakes Fire Protection District
Post Office Box 5, 3150 Main Street
Mammoth Lakes, CA 93546
760-934-2300 Fax- 760-934-9210

September 15, 2008

Town of Mammoth Lakes
Ms. Jen Daugherty
PO Box 1609
Mammoth Lakes, CA 93546

Re: Holiday Haus Initial Study/Mitigated Negative Declaration Comments

Thank you for the opportunity to comment on the document. The Fire District has limited comments as to the subject matter. The comments are as follows:

- The project will require roof access for the Fire Department. | 6.1
- Page 4.7-5, h: Expose people or structures to a significant risk or loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?
The Town of Mammoth Lakes has been rated a High fire severity zone, with the exception of a portion in Old Mammoth that has been rated Very High. The Very High area is identified as the Bluffs subdivision, the west side of Woodman Street, all of Mill Street, the west side of Sherwin Street, all of North Street, all of Valentine Reserve, and the Madden parcel. A copy of the map is enclosed. Also, the project will need to be in compliance with the 2007 California Amended International Fire Code, not the Uniform Fire Code. | 6.2
- Page 4.13-1, Public Services: a, 1) Fire Protection?
First Paragraph, Second Sentence: The MLFPD service area includes structure protection for approximately 27,000 acres within the boundary of | 6.3

the Town of Mammoth Lakes, including 3,500 acres of permitted ski resort and 2,500 acres of private property.

6.3

Second Paragraph, First Sentence: MLFPD currently employs eleven full-time firefighters and 35 paid-call firefighters, engineers, captains, and dispatchers.

6.4

Second Paragraph, Third Sentence: The MLFPD fleet of response vehicles (each fully equipped) consists of the following:

- Five Engines
- One Aerial Ladder Truck, second Truck is on order
- One Rescue Unit
- One Water Tender
- Four Staff Officer Vehicles
- Two Utility Vehicles, and
- One Staff Car

6.5

Third Paragraph, Fourth Sentence: The project would comply with the applicable provisions as set forth in the Fire District's Strategic Plan and Town's Municipal Code.

6.6

Fourth Paragraph, Second Sentence: The increase in population numbers generated by this project will result in an increase in calls.

6.7

Thank you again for the opportunity to comment on the draft environmental document. The Fire District awaits the building plans for review. If you need any additional information or have any questions, please feel free to contact me at your convenience.

Sincerely,

THOM HELLER
Fire Marshal



6. RESPONSES TO COMMENTS FROM THE MAMMOTH LAKES FIRE PROTECTION DISTRICT, DATED SEPTEMBER 15, 2008.

6-1 As stated in Section 2.7, *Agreements, Permits, and Approvals*, on page 2-14, the project would be subject to applicable Mammoth Lakes Fire Department Approval/Permit(s). This would include demonstrating that roof access would be available for the Mammoth Lakes Fire Protection District (MLFPD) staff.

6-2 The text in Section 4.7, *Hazards and Hazardous Materials*, page 4.7-5, has been revised as follows:

"The Town and surrounding area have been rated as having a very high fire potential designated within a High and Very High fire severity zone. The Very High area is identified as the Bluffs subdivision, the west side of Woodman Street, all of Mill Street, the west side of Sherwin Street, all of North Street, all of Valentine Reserve, and the Madden parcel. Thus, implementation of the proposed project could expose people or a structure to risk involving wildland fires, as would be true for any development within the Town. The proposed project is subject to compliance with the Uniform Fire 2007 California Amended International Fire Code. Further, the project design and construction would be reviewed by the Mammoth Lakes Fire Protection District, in conjunction with the applications for a use permit and building permit, in order to ensure that Fire Code regulations are met. Project implementation would result in a less than significant impact regarding the exposure of people or structures to a significant risk involving wildland fires, following compliance with Fire Code and Fire Protection District requirements."

6-3 Section 4.13, *Public Services*, page 4.13-1, 1st Paragraph, Second Sentence, the text has been revised to state "The MLFPD service area includes approximately 3,000 acres of mountain resort area in and around the Town and over 2,500 acres within the Town structure protection for approximately 27,000 acres within the boundary of the Town, including 3,500 acres of permitted ski resort and 2,500 acres of private property."

6-4 Section 4.13, *Public Services*, page 4.13-1, 2nd Paragraph, First Sentence, the text has been revised to state "The MLFPD currently utilizes four 11 full-time fire fighters, including the Chief, and over 50 35 paid-call dispatchers, firefighters, engineers, and captains."

6-5 Section 4.13, *Public Services*, page 4.13-2, First Sentence, the text has been revised to state "The MLFPD fleet of response units (each fully equipped) consists of the following:

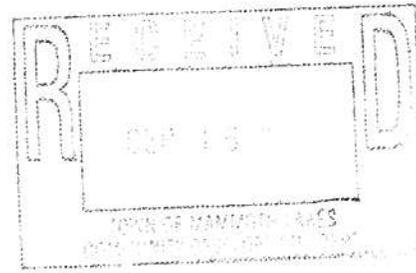
- Four Five engines;
- One aerial ladder truck;
- One Chevy-rescue unit;
- One Kenworth water tender;
- Four staff officer vehicles;
- ~~One Case loader~~;
- Two utility vehicles; and
- One staff car ~~Two Ford staff trucks.~~"



- 6-6 Section 4.13, *Public Services*, page 4.13-2, First Paragraph, Fourth Sentence, the text has been revised to state “The project would comply with the applicable provisions as set forth in the Fire District’s Strategic Plan and the Town’s Municipal Code.”
- 6-7 Section 4.13, *Public Services*, page 4.13-2, Second Paragraph, Second Sentence, the text has been revised to state “This increased density at the project site ~~may~~ would result in an increase in calls.



State of California - The Resources Agency
 DEPARTMENT OF FISH AND GAME
<http://www.dfg.ca.gov>
 Inland Deserts Region (IDR)
 407 W. Line Street
 Bishop, CA 93514
 (760) 872-1171
 (760) 872-1284



September 12, 2008

Ms. Jen Daugherty, Associate Planner
 Town of Mammoth Lakes
 Community Development Department
 P.O. Box 1609
 Mammoth Lakes, CA 93546

Subject: Proposed Initial Study and Mitigated Negative Declaration for the Holiday Haus Project (SCH#2008082061)

Dear Ms. Daugherty:

The Department of Fish and Game (Department) has reviewed the Initial Study/ Mitigated Negative Declaration (IS/MND) for the above referenced project. The proposed project is the construction of a Hotel Condominium that would include a total of 91 units (135 bedrooms) constructed above an underground parking structure, with a total of 138 parking spaces. The project is located east of the intersection of Minaret Road and State Route 203/Main Street, in the City of Mammoth Lakes, County of Mono. According to the IS/MND, approximately 200 trees would be removed to develop the project.

The Department is providing comments on the IS/MND as the State agency which has the statutory and common law responsibilities with regard to fish and wildlife resources and habitats. California's fish and wildlife resources, including their habitats, are held in trust for the people of the State by the Department (Fish and Game Code §711.7). The Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitats necessary for biologically sustainable populations of those species (Fish and Game Code §1802). The Department's Fish and wildlife management functions are implemented through its administration and enforcement of Fish and Game Code (Fish and Game Code §702). The Department is a trustee agency for fish and wildlife under the California Environmental Quality Act (see CEQA Guidelines, 14 Cal. Code Regs. §15386(a)). The Department is providing these comments in furtherance of these statutory responsibilities, as well as its common law role as trustee for the public's fish and wildlife.

The Department appreciates the mitigation measures addressed in the IS/MND to minimize impacts to breeding or hibernating bats, as well as nesting birds and/or raptors. However, for bird species, the Department recommends focusing the mitigation protocol to make sure that impacts are reduced to less than significant levels. The IS/MND states that activities associated with construction will occur during September

7.1

through March, when birds are not nesting. The Department recommends defining the breeding bird season as March 15-September 15 for the purposes of avoiding disturbances which would cause destruction or abandonment of active nests containing eggs and/or young. Vegetation clearing and tree removal should therefore be restricted to September 16 through March 14.

If construction during the breeding season cannot be avoided, the IS/MND states that pre-construction surveys will occur for nesting birds and that pre-construction raptor surveys will be conducted no more than 30 days prior to initiation of grading. Under these guidelines nests could become established within the 30-day period between the survey and the commencement of construction, and subsequently destroyed by construction activities. The Department recommends that beginning thirty days prior to the disturbance of suitable nesting habitat, (for all nesting birds and raptors) the project proponent should arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within 300 feet of the construction work area (within 500 feet for raptors). The surveys should be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys should continue on a weekly basis with the last survey being conducted no more than three days prior to the initiation of clearance/construction work. If a protected native bird is found, the project proponent should delay all clearance/construction disturbance activities in suitable nesting habitat or within 300 feet of nesting habitat (within 500 feet for raptor nesting habitat) until August 31 or continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest (within 500 feet for raptor nests) shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting.

7.1

Because raptors exhibit high site fidelity, nest removal may contribute to breeding failure. The project proponent should avoid removal of raptor nests to the highest extent feasible. The Department recommends that surveys for raptor nests be conducted as early as February 1, before pairs arrive and courtship begins. If seasonally inactive raptor nests are located in trees that must be removed for project construction, the trees should be removed well in advance of the breeding season.

Because black bears are such a common residential species in the Mammoth Lakes area and sometimes have the tendency to turn into "problem bears," the Department would appreciate any measures taken to bear proof areas where food and trash accumulate. Besides bear proof trash receptacles, the Department recommends that the Project site securely blocks access to potential hibernation sites, such as crawl spaces under decks or buildings. It would also be beneficial to the Project to make out of town visitors bear aware with pamphlets or signs using the following precautions: food should not be left in or near a window sill or on a counter near an open window; windows should be closed at all times when visitors are not present on the premises; all food should be kept out of vehicles. Visitors should make sure their vehicle windows are rolled up tight so bears can't smell food and then get a claw-hold on their window and pull it out. "Bear-resistant" canisters are the best way to store food in a vehicle and are available at local sporting good stores and at the Mammoth Lakes Welcome Center / Ranger Station.

7.2

In conclusion, the Department recommends that the above mitigation measures be included in the IS/MND to support the finding that the project as proposed, will not have a significant impact on the environment.

7.3

Thank you for this opportunity to comment. Questions regarding this letter and further coordination on these issues should be directed to Ms. Tammy Branston, Environmental Scientist, at (760) 872-0751.

Sincerely,



Brad Henderson
Senior Environmental Scientist

cc: Ms. Tammy Branston
State Clearinghouse
Chron



7. RESPONSES TO COMMENTS FROM THE CALIFORNIA DEPARTMENT OF FISH AND GAME, DATED SEPTEMBER 12, 2008.

7-1 Section 4.4, *Biological Resources*, Page 4.4-3, will be revised as follows:

BIO-2 To avoid nesting birds and/or raptors, one of the following must be implemented:

- Conduct vegetation removal and other ground disturbance activities associated with construction during September 16 through March 14, when birds are not nesting; or
- Conduct pre-construction surveys for nesting birds if construction is to take place during the nesting season (March 15 through September 15). A qualified wildlife biologist shall conduct ~~a weekly~~ pre-construction raptor bird surveys no more than beginning 30 days prior to initiation of grading to provide confirmation on presence or absence of active nests in the vicinity (at least 300 feet around the project site [500 feet for raptor species]). The surveys shall continue on a weekly basis with the last survey being conducted no more than three days prior to the initiation of clearance/construction activities. If active nests are encountered, species-specific measures shall be prepared by a qualified biologist in consultation with the California Department of Fish and Game (CDFG) and implemented to prevent abandonment of the active nest. At a minimum grading in the vicinity of the nest shall be deferred until the young birds have fledged. A minimum exclusion buffer of 25 feet is required by CDFG for songbird nests, and 200 to 500 feet for raptor nests, depending on the species and location. The perimeter of the nest-setback zone shall be fenced or adequately demarcated with staked flagging at 20-foot intervals, and construction personnel restricted from the area. A survey report by the qualified wildlife biologist verifying that the young have fledged shall be submitted to the Town prior to initiation of grading in the nest-setback zone.

The Applicant shall avoid removal of raptor nests to the highest extent feasible. In consultation with CDFG staff, surveys for raptor nests shall be conducted as early as February 1, before pairs arrive and courtship begins. If seasonally inactive raptor nests are located in trees that must be removed for project construction, the trees shall be removed well in advance of the breeding season.

7-2 The following mitigation measure (Mitigation Measure BIO-4) will be added to Section 4.4, *Biological Resources*, as follows:

BIO-4 The project Applicant shall be required to incorporate measures that would "bear proof" areas where food and trash may accumulate. Potential areas on-site that may be accessed as bear hibernation sites (i.e., crawl spaces under decks or buildings) shall be securely blocked. Available public information (i.e., pamphlets) or on-site signage shall be implemented by the



project Applicant during project operation identifying the following precautions:

- Food should not be left in or near a window sill or on a counter near an open window;
- Food should be kept out of vehicles;
- Vehicle windows should be rolled up tight so bears can't smell food and then get a claw-hold on their window and pull it out; and
- "Bear-resistant" canisters are the best way to store food in a vehicle and are available at local sporting good stores and at the Mammoth Lakes Welcome Center/Ranger Station.

7-3 As stated in the comment letter, with incorporation of mitigation measures identified in Responses 7-1 through 7-2, above, the CDFG supports the finding that the project, as proposed, will not have a significant impact on the environment.



3.0 MITIGATION MONITORING AND REPORTING CHECKLIST



Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
AESTHETICS							
AES-1	Landscape design shall be consistent with the Town of Mammoth Lakes Municipal Code Chapter 17.20.040, property development standards. The landscape shall enhance the character of the on-site development and shall be compatible with, and complementary to, the natural environment in Mammoth Lakes and the surrounding region.	Review and Approval of Project Plans and Specifications	Prior to Project Grading Plan and Specifications Approval	Town Community Development Department			
AES-2	All appurtenances (i.e., meters, roof vents and electrical equipment, etc.) shall be integrated into the project design to minimize visual detection by pedestrians and nearby properties. These appurtenances shall be screened or placed in areas that are not highly visible, to the maximum extent possible.	Review and Approval of Project Plans and Specifications	Prior to Project Building Plan and Specifications Approval	Town Community Development Department			
AES-3	Construction equipment staging areas shall use appropriate screening (i.e., temporary fencing with opaque material) to buffer views of construction equipment and material, to the maximum extent possible. Staging locations and screening techniques shall be indicated on Final Development Plans and Grading Plans.	Review and Approval of Project Plans and Specifications; Town of Mammoth Lakes Public Works Department Field Inspections	Prior to Project Grading Plan and Specification Approval; During Construction / Grading Activity	Town Public Works Director or his Designee; Construction Contractor			
AES-4	The overall color scheme shall be determined by the Town Design Guidelines and Town of Mammoth Lakes Advisory Design Panel, subject to approval by the Town of Mammoth Lakes Planning Commission. The color of exterior materials, whether applied or innate, shall reflect the appearance of the natural surroundings and not seem synthetic or man-made. Accent colors shall integrate with the overall color scheme and form of the building.	Review and Approval of Project Plans and Specifications	Prior to Project Plan and Specifications Approval	Town Community Development Department			



Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
AES-5	Fencing and outdoor enclosures shall be compatible in material, color, and design to adjacent structures, and the neighborhood and regional character. Fences and enclosures shall be designed to withstand heavy snowfall conditions and snow removal operations. Fences, walls, and enclosures shall be no higher than necessary to perform the intended function. Landscape features, fences, and walls in dedicated snow shed and snow storage areas shall be designed to accommodate snow storage and removal activities.	Review and Approval of Project Plans and Specifications	Prior to Project Grading and/or Building Plan and Specifications Approval	Town Community Development Department and Public Works Department			
AES-6	Prior to issuance of the Certificate of Occupancy, a snow melt system shall be implemented for the proposed driveway, entryways, and walkways located on the north side of the structure as well as in the patio area proposed to the south of the building, as shown in Exhibit 2-4.	Review and Approval of Project Plans and Specifications	Prior to Project Plan and Specifications Approval; Issuance of a Certificate of Occupancy	Town Community Development Department and Public Works Department			
AES-7	All construction-related lighting shall be located and oriented away from adjacent residential areas and consist of the minimal wattage necessary to provide safety at the construction site. A Construction Safety Lighting Plan shall be submitted to the Community Development Department for review concurrent with Grading Permit application.	Review and Approval of Project Plans and Specifications	Prior to Project Grading Plan and Specifications Approval; During Construction	Town Community Development Department and Public Works Department; Construction Contractor			
AES-8	The Applicant shall prepare and submit an outdoor lighting plan pursuant to the Town's Lighting Ordinance (Chapter 17.34.050, General Requirements, and Chapter 17.34.060, Outdoor Lighting Plans, of the Municipal Code) to the Community Development Director that includes a foot-candle map illustrating the amount of light from the project site at adjacent light sensitive receptors.	Review and Approval of Project Plans and Specifications	Prior to Project Building Plan and Specifications Approval	Town Community Development Department			



Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
AES-9	The proposed building materials (including cladding and windows) shall integrate low-reflective materials into the project design to minimize reflective glare impacts to the maximum extent possible.	Review and Approval of Project Plans and Specifications	Prior to Project Building Plan and Specifications Approval	Town Community Development Department and Public Works Department			
AIR QUALITY							
AQ-1	<p>Prior to approval of the project plans and specifications, the Public Works Director, or his designee, shall confirm that the plans and specifications stipulate that, in compliance with GBUPACD Rule 401, excessive fugitive dust emissions shall be controlled by regular watering or other dust preventive measures, as specified in the GBUPACD Rules and Regulations. In addition, GBUPACD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures would reduce short-term fugitive dust impacts on nearby sensitive receptors:</p> <ul style="list-style-type: none"> All active portions of the construction site shall be watered to prevent excessive amounts of dust; On-site vehicle speed shall be limited to 15 miles per hour (mph); All on-site roads shall be paved as soon as feasible or a form of dust control (i.e. periodical watering or chemical stabilization) shall be utilized; All material excavated or graded shall be 	Review and Approval of Project Plans and Specifications; Town of Mammoth Lakes Public Works Department Field Inspections	Prior to Project Grading Plan and Specification Approval; During Construction / Grading Activity	Town Public Works Director or his Designee; Construction Contractor			



Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	<p>sufficiently watered to prevent excessive amounts of dust; watering, with complete coverage, shall occur at least twice daily, preferably in the late morning and after work is done for the day;</p> <ul style="list-style-type: none"> If dust is visibly generated that travels beyond the site boundaries, clearing, grading, earth moving, or excavation activities that are generating dust shall cease during periods of high winds (i.e., greater than 25 mph averaged over one hour) or during Stage 1 or Stage 2 episodes; and All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust. 						
AQ-2	Under GBUAPCD Rule 200-A and 200-B, the project Applicant shall apply for a Permit To Construct prior to construction, which provides an orderly procedure for the review of new and modified sources of air pollution.	Prepare and Apply for Permit to Construct	Prior to Construction / Grading Activity	GBUAPCD; Town Public Works Department; Construction Contractor			
AQ-3	Under GBUAPCD Rule 216-A (New Source Review Requirement for Determining Impact on Air Quality Secondary Sources), the project Applicant shall complete the necessary permitting approvals prior to commencement of construction activities.	Prepare and Apply for Applicable GBUAPCD Rule 216-A Permits	Prior to Construction / Grading Activity	GBUAPCD; Town Public Works Department; Construction Contractor			
AQ-4	Prior to demolition activities, the Applicant shall demonstrate to the GBUAPCD that the project is consistent with the Toxic Substance Control Act (TSCA), (15 U.S.C. Section 2601 et. seq.) Title 2 - Asbestos Hazard Emergency Response for handling asbestos.	Approval of GBUAPCD Through TSCA Title 2	Prior to Construction / Demolition Activity	Town Public Works Department			



Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
AQ-5	<p>The project shall implement the following measures to reduce overall VMT per day and associated PM10 emissions:</p> <ul style="list-style-type: none"> The project shall include a transportation demand management program to reduce overall VMTs, in order to demonstrate compliance with the Federal PM10 standard of 150 µg/m³. The program shall include, but not be limited to circulation system improvements, shuttles to and from major destinations like the Mammoth Mountain Ski Area ski area, and the location of facilities to encourage pedestrian circulation; Contribute to a Townwide traffic monitoring program to reduce VMTs; The project shall be linked to existing developed areas through existing road networks, public transit system, open space systems, and bicycle and pedestrian systems; The project shall implement trip reduction measures particularly during PM peak hours to disperse trips between areas and mountain pedestrian systems; and Hotel Condominium units shall enter into a transit fee agreement with the Town consistent with the Town's established Transit Fee Agreement Program. 	Transportation Demand Management Program	Prior to Project Grading and/or Building Plan and Specifications Approval; Prior to Final Map approval	Town Community Development Department; Town Public Works Department			



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AQ-6	Prior to approval of building plans, the Applicant shall provide confirmation, to the satisfaction of the Town of Mammoth Lakes Community Development Department, that wood fired stoves or appliances would not be used on-site.	Review and Approval of Project Plans and Specifications	Prior to Project Building Plan and Specifications Approval	Town Community Development Department			
BIOLOGICAL RESOURCES							
BIO-1	In order to avoid impacting breeding or hibernating bats, tree and snag removal shall occur in September and October, after the bat breeding season and before the bat hibernation season. If snag and tree removal is to take place outside of this time frame, a pre-construction bat survey shall be conducted. If no roosting bats are found during the survey, no further mitigation would be required. If bats are detected, a 50-foot buffer exclusion zone should be established around each occupied snag or tree until the roosting activities have ceased.	Tree and snag removal activities between September and October; or Pre-Construction Bat Survey if Tree Removal Occurs Outside of September and October	Prior to Construction / Grading Activity	Town Community Development Director; Qualified Biologist			
BIO-2	To avoid nesting birds and/or raptors, one of the following must be implemented: <ul style="list-style-type: none"> • Conduct vegetation removal and other ground disturbance activities associated with construction during September 16 through March 14, when birds are not nesting; or • Conduct pre-construction surveys for nesting birds if construction is to take place during the nesting season (March 15 through September 15). A qualified wildlife biologist shall conduct weekly pre-construction raptor bird surveys beginning 30 days prior to initiation of grading to provide confirmation on presence or absence of active nests in the vicinity (at least 	Vegetation Removal activities between September 16 and March 14; or Pre-Construction Nesting Bird Surveys	Prior to Construction / Grading Activity	Town Community Development Director; Qualified Biologist			



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	<p>300 feet around the project site [500 feet for raptor species]). The surveys shall continue on a weekly basis with the last survey being conducted no more than three days prior to the initiation of clearance/construction activities. If active nests are encountered, species-specific measures shall be prepared by a qualified biologist in consultation with the California Department of Fish and Game (CDFG) and implemented to prevent abandonment of the active nest. At a minimum grading in the vicinity of the nest shall be deferred until the young birds have fledged. A minimum exclusion buffer of 25 feet is required by CDFG for songbird nests, and 200 to 500 feet for raptor nests, depending on the species and location. The perimeter of the nest-setback zone shall be fenced or adequately demarcated with staked flagging at 20-foot intervals, and construction personnel restricted from the area. A survey report by the qualified wildlife biologist verifying that the young have fledged shall be submitted to the Town prior to initiation of grading in the nest-setback zone.</p> <p>The Applicant shall avoid removal of raptor nests to the highest extent feasible. In consultation with CDFG staff, surveys for raptor nests shall be conducted as early as February 1, before pairs arrive and courtship begins. If seasonally inactive raptor nests are located in trees that must be removed for project construction, the trees shall be removed well in advance of the breeding season.</p>						



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BIO-3	Prior to the removal of any trees greater than six inches in diameter, a final analysis of the value of trees removed shall be prepared by a licensed forester or arborist. Prior to removal of any trees greater than six inches in diameter a development permit or a tree removal permit must be approved by the Town. The value of the trees removed shall be incorporated into the replacement trees which shall be within the project area, or off-site; as may be approved by the Community Development Director.	Prepare and Apply for Development or Tree Removal Permit	Prior to Construction / Grading Activity	Town Community Development Director; Qualified Forester or Arborist			
BIO-4	The project Applicant shall be required to incorporate measures that would "bear proof" areas where food and trash may accumulate. Potential areas on-site that may be accessed as bear hibernation sites (i.e., crawl spaces under decks or buildings) shall be securely blocked. Available public information (i.e., pamphlets) or on-site signage shall be implemented by the project Applicant during project operation identifying the following precautions: <ul style="list-style-type: none"> • Food should not be left in or near a window sill or on a counter near an open window; • Food should be kept out of vehicles; • Vehicle windows should be rolled up tight so bears can't smell food and then get a claw-hold on their window and pull it out; and • "Bear-resistant" canisters are the best way to store food in a vehicle and are available at local sporting good stores and at the 	Review and Approval of Project Plans and Specifications	Prior to Project Plan and Specifications Approval	Town Community Development Department			



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	Mammoth Lakes Welcome Center/Ranger Station.						
CULTURAL RESOURCES							
CUL-1	If cultural materials or archaeological remains are encountered during the course of grading or construction, the project contractor shall cease any ground disturbing activities near the find. A qualified archaeologist, approved by the Town, shall be retained to evaluate significance of the resources and recommend appropriate treatment measures. Treatment measures may include avoidance, preservation, removal, data recovery, protection, or other measures developed in consultation with the Town.	Construction Activities	During Construction	Town Community Development Department; Construction Contractor; Qualified Archaeologist (if necessary)			
GEOLOGY AND SOILS							
GEO-1	<p>Prior to grading operations, a soils report shall be prepared for the proposed development to identify the potential for liquefaction, expansive soils, ground settlement, and slope failure. The report shall also:</p> <ul style="list-style-type: none"> Specify loose alluvium that shall be excavated and removed from the site as it is considered unsuitable for reuse as structural fill. Specify remedial measures that could be feasibly implemented to minimize potential impact. Analyze the potential for groundwater within the study area and recommend measures to remediate associated conditions. 	Preparation and Approval of Soils Report	Prior to Grading Activity	Town Public Works Department; Town Community Development Department			



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	<ul style="list-style-type: none"> Determine the potential for groundwater seepage that may occur where excavation would be the greatest. Determine the need for dewatering of areas during parking garage construction to remove all water within the excavation perimeter and recommend appropriate method of dewatering. 						
GEO-2	Permanent perimeter subsurface drains shall be installed to intercept perched groundwater associated with snowmelts.	Review and Approval of Project Plans and Specifications	Prior to Project Grading Plan and Specifications Approval	Town Public Works Department; Town Community Development Department			
HAZARDS AND HAZARDOUS MATERIALS							
HHM-1	Prior to demolition activities, an asbestos survey shall be conducted by a qualified environmental professional to determine the presence or absence of asbestos. If present, asbestos removal shall be performed by a State-certified asbestos containment contractor in accordance with the Toxic Substance Control Act (TSCA), (15 U.S.C. Section 2601 et. seq.) Title 2 – Asbestos Hazard Emergency Response for handling asbestos.	Asbestos Survey	Prior to Demolition Activity	Town Public Works Department; Qualified Environmental Professional; Town Community Development Department			
HHM-2	If during demolition of the structures, paint is separated from the building material (e.g., chemically or physically), the paint waste shall be evaluated independently from the building material by a qualified environmental professional to determine its proper management. According to the Department of Toxic Substances Control, if paint is not removed from the building material during demolition (and is not chipping or peeling),	Identification and Proper Disposal of Lead-Based Paint Waste	During Demolition	Construction Contractor; Qualified Environmental Professional; Town Community Development Department			



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	the material may be disposed of as construction debris (a non-hazardous waste). The landfill operator shall be contacted in advance to determine any specific requirements they may have regarding the disposal of lead-based paint materials, if necessary.						
HYDROLOGY AND WATER QUALITY							
HWQ-1	The Town shall comply with the National Pollution Discharge Elimination System requirements for construction projects (General Permit #CAS000002) enforced by the Lahontan Regional Water Quality Control Board (RWQCB). Construction activities subject to this permit shall include clearing, grading and disturbances to the ground such as stockpiling or excavation, but not including regular maintenance activities performed to restore the original line, grade, or capacity of the facility. Prior to any site disturbance, the Applicant shall submit a Notice of Intent (NOI) and comply with the requirements of the General Construction Activity Storm Water Permit from the State Water Resources Control Board, in accordance with the Board requirements. Also, prior to any site disturbance, the applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the Town Public Works Department for review and approval. The SWPPP shall be designed such that no off-site Best Management Practices (BMPs) are required in the Town right-of-way (R/W) after October 15 or before April 30 each year. The applicant shall maintain the SWPPP on site at all times and shall conform to the SWPPP during construction.	Submittal of Notice of Intent to the Lahontan Regional Water Quality Control Board; Submittal of a Storm Water Pollution Prevention Plan	Prior to Site Disturbance; Ongoing During Construction	Town Public Works Department; Town Community Development Department; Lahontan Regional Water Quality Control Board			



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HWQ-2	All proposed driveways and construction parking areas shall be paved or covered with Town approved material, if construction continues past October 15th, in order to minimize erosion and sedimentation on roadways.	Review and Approval of Project Plans and Specifications	Prior to Project Grading Plan and Specifications Approval; During Construction	Town Public Works Department; Town Community Development Department; Construction Contractor			
HWQ-3	Prior to grading operations, the applicant shall comply with each of the recommendations detailed in the Preliminary Drainage Study (Triad/Holmes Associates, February 2008), and other such measure(s) as the Town Public Works Department deems necessary to adequately mitigate project impacts.	Compliance with Recommendations in the Preliminary Drainage Study	Prior to Construction / Grading Activity	Town Public Works Department			
HWQ-4	In consultation with the Town, prior to approval of grading plans, the project applicant shall identify and implement a suite of stormwater quality BMPs designed to address the most likely sources of stormwater pollutants resulting from operation of the proposed project. Pollutant sources and pathways to be addressed by these BMPs include, but are not necessarily limited to, parking lots, maintenance areas, trash storage locations, rooftops, interior public and private roadways, and storm drain inlets. The design and location of these BMPs will be subject to review and comment by the Town but shall generally adhere to the standards associated with the Phase II NPDES stormwater permit program. Implementation of these BMPs shall be assured by the Community Development Director and Town Engineer prior to the issuance of Grading or Building Permits.	Identification of BMPs to Address Stormwater Pollutants	Prior to Issuance of Grading / Building Permits	Town Public Works Department; Town Community Development Director; Town Engineer			
HWQ-5	The applicant shall install a sump pump system that lifts stormwater to the surface within the	Review and Approval of Project	Prior to Construction of	Town Public Works Department			



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	underground parking garage, which conveys water through a device that removes oil and silt, prior to reintroduction into the storm water system. The sump pump system shall be installed prior to use of the parking structure.	Plans and Specifications	Parking Structure				
HWQ-6	The applicant shall design and construct improvements identified in the 2005 Storm Drain Master Plan or other Town approved storm drain documents to the extent necessary to mitigate impacts generated by the Project, as determined by the Town's Public Works Department, to increase the capacity of the Town's drainage facilities including the downstream Sierra Valley Sites if no such improvements have been made by the time occupancy of the Project occurs.	Review and Approval of Project Plans and Specifications	Prior to Project Grading Plan and Specifications Approval	Town Public Works Department			
NOISE							
NOI-1	<p>Prior to grading operations, the project shall demonstrate, to the satisfaction of the Town of Mammoth Lakes Community Development Department, that the project complies with the following through a construction management plan reviewed and approved by the Town:</p> <ul style="list-style-type: none"> All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers; Construction noise reduction methods such as shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging areas and occupied residential areas, and use of electric air compressors and similar power tools, rather than 	Review and Approval of Project Plans and Specifications; Town of Mammoth Lakes Field Inspections	Prior to Approval of Construction Management Plan; Prior to Grading Activity; During Construction	Town Community Development Department and Public Works Department			



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	<p>diesel equipment, shall be used to the maximum extent possible;</p> <ul style="list-style-type: none"> • During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers; • During construction, stockpiling and vehicle staging areas shall be located as far as practical from noise sensitive receptors; • Operate earthmoving equipment on the construction site as far away from vibration sensitive sites as possible; and • A project sign shall be clearly posted at the primary construction entrance, as an information resource for surrounding property owners and residents. The sign shall include the following minimum project information: project name; general contractor; normal construction hours; normal workdays; and local telephone number of the Job Superintendent. If the Town or the Job Superintendent receives a complaint, the Superintendent shall investigate, take appropriate corrective action, and report the action taken to the Town. 						



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PUBLIC SERVICES							
PS-1	In the event that the Intrastar 7B Road is not constructed prior to project implementation, the project shall implement the Fire Access Road Alternative as determined by the Town.	Review and Approval of Project Plans and Specifications	Prior to Project Plan and Specification Approval	Community Development Department; Mammoth Lakes Fire Protection District; Public Works Department			
UTILITIES AND SERVICE SYSTEMS							
USS-1	The Town of Mammoth Lakes shall not approve the proposed development, if the MCWD determines the project would result in a water demand in excess of available supplies. The Town shall work with the MCWD to ensure that the development of necessary water supply sources is established prior to approval of the proposed project.	Review and Approval of Project Plans and Specifications	Prior to Project Plan and Specification Approval	Town Community Development Department; Mammoth Community Water District			