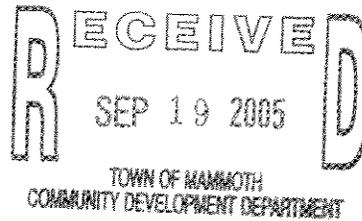


APPENDIX B

REVISED DRAFT PEIR NOTICE OF PREPARATION COMMENT LETTERS

DEPARTMENT OF TRANSPORTATION

District 9
 500 South Main Street
 Bishop, California 93514
 PHONE (760) 872-0785
 FAX (760) 872-0754
 TTY (760) 872-9043



*Flex your power!
 Be energy efficient!*

September 15, 2005

Ms. Sonja Porter, Senior Planner
 Town of Mammoth Lakes
 P.O. Box 1609
 Mammoth Lakes, California 93546

File: 09-MNO
 NOP RDEIR
 SCH #: 2003042155

Dear Ms. Porter:

Mammoth Lakes 2005 General Plan Update (GPU) Notice of Preparation (NOP) for a Revised Draft Program Environmental Report (RDEIR) (August 2005)

Thank you for giving the California Department of Transportation the opportunity to respond during the NOP phase for General Plan RDEIR. Please ensure the following transportation related issues are addressed:

- Jobs-housing proximity. It is a State planning priority to achieving sustainable land use development patterns that accommodate a sufficient supply of adequate housing in and near population and job centers. Since this revised project would reduce the number of dwelling units even below the existing plan, there may be less local housing available given the number of jobs. Impacts to the state highway system for commuting need to be considered along with air quality.
- Traffic and circulation analysis and mitigation measures for full build-out, including all modes – motor vehicle, transit, pedestrian, bicycle, etc.
- Require analysis before implementation of design solution policies on a case-by-case basis (narrower roads, etc.).
- Snow removal and storage.
- Parking for private vehicles and commercial deliveries.
- Reservation of right-of-way for future transportation usages.
- Fair share developer financing for all modes of transportation, including motorized vehicles.
- Identify Mammoth's cumulative effects area boundaries and address transportation needs/impacts.
- Possible relinquishment of State Route 203 to the Town.

Ms. Sonja Porter
September 15, 2005
Page 2

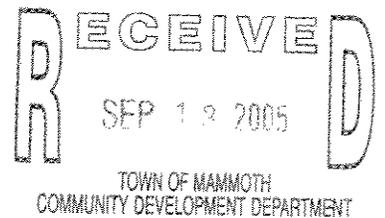
If you have any questions, I may be contacted at (760) 872-0785. We value a cooperative working relationship in transportation matters with the Town of Mammoth Lakes.

Sincerely,

A handwritten signature in cursive script that reads "Gayle J. Rosander".

GAYLE J. ROSANDER
IGR/CEQA Coordinator

c: State Clearinghouse
Terry Gess, Caltrans



Mammoth Community Water District
P.O. Box 597, Mammoth Lakes, CA 93546
(760) 934-2596; fax (760) 934-4080

September 13, 2005

Sonja Porter
Senior Planner
Town of Mammoth Lakes
P.O. Box 1609
Mammoth Lakes, CA 93546

Re: Notice of Preparation of a Revised Draft Environmental Impact Report for the Mammoth Lakes
General Plan Update

Dear Ms. Porter,

The District has reviewed the Notice of Preparation of a Revised Draft Environmental Impact Report for the Mammoth Lakes General Plan Update. The District has previously provided comments on the Draft EIR for the Town of Mammoth Lakes General Plan update circulated in February 2005, which we hope will be incorporated into the new Revised Draft EIR. We appreciate the opportunity to comment on the scope of the Revised Draft EIR.

The District would like to request a detailed analysis of water supply and demand in the Revised Draft EIR. The analysis included in the February 2005 Draft EIR, although consistent with the September 2004 Water Source Assessment submitted to the Town for the original February 2005 Draft, can be improved with a thorough examination of information regarding updated supply deficiency and potential water sources. The September 2004 Assessment was prepared following the requirements of Senate Bill 610 (SB 610) and provided projections of water supply during normal, single dry, and multiple dry water years. However, although this

document was consistent with the law, the complicated nature of water supply and demand in Mammoth Lakes requires a more detailed analysis.

The District is developing a new Water Source Assessment for the Revised Draft EIR for the General Plan Update. The forthcoming Water Source Assessment will enhance the water supply and demand analysis in the Revised Draft EIR. Through discussions with Town staff and internal review, the District has determined a variety of ways to improve the water supply and demand analysis in the original September 2004 Water Source Assessment. In addition, the new Revised Draft EIR will be analyzing for the impacts of 60,700 PAOT, an alternative that not evaluated in the 2004 Water Source Assessment. In order to complete a thorough analysis of the proposed project in the EIR, the District must evaluate this alternative.

When performing a Water Source Assessment, SB 610 requires that existing and planned sources of water available to the water supplier be identified and quantified in 5-year increments for a 20-year projection. The District has found that this type of broad analysis, as performed in the September 2004 Assessment, can be deceptive. In certain population scenarios, annual water supply and demand analysis shows sufficient supplies, but when the same scenarios were analyzed on a monthly basis deficiencies are revealed. This is due to the nature of the District's surface water rights and the variance in demand on a seasonal basis. In addition, the District has evaluated peak daily demands and impacts from increased mid-week visitor populations, which will provide important perspective to the required components of the Water Source Assessment and the Revised Draft EIR.

The District looks forward to working with the Town on analyzing wastewater flows for the Revised Draft EIR. Detailed information on wastewater flows is available for Town staff to assist in predicting wastewater flows for different populations scenarios that may be evaluated. In addition, the District would like to encourage the Town to address the revisions made to the February 2005 Draft EIR regarding wastewater flows, the collection system, and treatment plant capacity as described in the District's comment letter, dated April 26, 2005.

Thank you again for the opportunity to comment on this document. We look forward to working with the Town to provide any assistance necessary to help complete a comprehensive Revised EIR. Please feel free to contact the District if you have any questions.

Sincerely,



Gary Sisson, General Manager



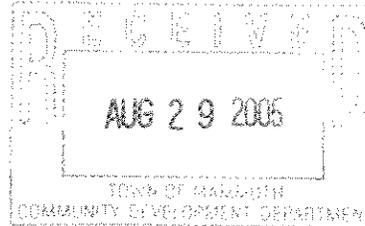
Ericka Spies, Environmental Specialist

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
 SACRAMENTO, CA 95814
 (916) 653-4082
 (916) 657-5390 - Fax



August 24, 2005



Ms. Sonja Porter
 City of Mammoth Lakes
 P.O. Box 1609
 Mammoth lakes, Ca 93546

Re: Mammoth Lakes General Plan Update
 SCH# 2003042155

Dear Ms. Porter:

Thank you for the opportunity to comment on the above-referenced document. In order to adequately identify and mitigate project-related impacts on cultural resources in accordance with the CEQA Guidelines (15063 (d) (3)), the Commission recommends that you provide evidence that all of the following actions be taken:

- Contact the appropriate California Historic Resources Information Center for a record search. The record search will determine:
 - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded on 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 measures 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.
- Contact the Native American Heritage Commission (NAHC) for a Sacred Lands File search of the project area and information on tribal contacts in the project vicinity who may have additional cultural resource information.
 - Please provide U.S.G.S. location information for the project site, including Quadrangle, Township, Section, and Range.
 - We recommend that you contact all tribes listed on the contact list to avoid the unanticipated discovery of sensitive Native American resources after the project has begun.
- 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.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
- Lead agencies should include provisions for discovery of Native American human remains or cemeteries in their mitigation plans. Health and Safety Code §7050.5 and Public Resources Code §15064.5 (e) and §5097.98 mandate procedures to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.
- Lead agencies should consider avoidance, as defined in Section 15370 of the CEQA Guidelines, when significant cultural resources are discovered during the course of project planning.

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

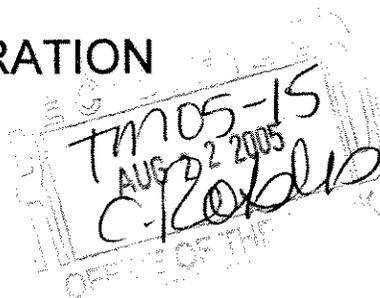
Sincerely,


 Carol Gaubatz
 Program Analyst

CC: State Clearinghouse

NOTICE OF PREPARATION

From: Town of Mammoth Lakes
Post Office Box 1609
Mammoth Lakes, CA 93546



Subject: **Notice of Preparation of a Revised Draft Environmental Impact Report**
(State Clearinghouse No. 2003042155)

The Town of Mammoth Lakes will be the Lead Agency and will prepare a revised environmental impact report (EIR) for the project identified below. A draft EIR was previously prepared and circulated from February 2005 to May 17, 2005. A revised draft is being prepared in response to agency and community comments on the previously circulated draft EIR and because there has been a modification in the project and additional and clarifying information will be added to the draft EIR. We need to know the views of your agency as to the scope and content of the environmental information, which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description and the potential environmental effects are contained in the attached materials. A copy of the Initial Study is not attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than thirty (30) days after receipt of this notice.

Please send your response to Ms. Sonja Porter, Senior Planner, at the address shown above. We will need the name for a contact person in your agency.

Project Title: Mammoth Lakes General Plan Update

Date: August 15, 2005

Signature: 
Title: Senior Planner
Telephone: (760) 934-8989 ext. 286

POSTED 8/22-10/22

**Notice of Preparation
Mammoth Lakes General Plan Update
Revised Draft Environmental Impact Report
(State Clearinghouse No. 2003042155)**

Project Description

The proposed project is a comprehensive update of the Town of Mammoth Lakes' General Plan. A draft EIR was originally prepared for the project and circulated for review and comment from the end of February 2005 through May 17, 2005. A revised draft EIR is being prepared for the project in response to comments on the previously circulated draft EIR and because there have been some modifications in the project additional and clarifying information will be added to the revised draft EIR.

The General Plan is the primary policy document for the Town and is the basis for all decisions regarding the physical development within the Town. It expresses the community's vision for its future and is the guide for both long-term and day-to-day decisions and actions of the Town. The Town's current General Plan was adopted in 1987. Since that time, independent amendments have been made to several of the elements that comprise the Plan; however, the General Plan has not been comprehensively reviewed since it was adopted in 1987. The Town of Mammoth Lakes will also be updating its Parks and Recreation Element in the near future as a separate project.

The updated General Plan (project) evaluated in the previously circulated draft EIR, which was referred to as the Project Action Alternative, would have increased the permitted density in certain areas above that allowed by the current General Plan and would have allowed an increase in the Town's population at build-out over the total population from 61,375 to 71,200. In particular, it would have increased the density permitted in the Old Mammoth area from the two (2) units per gross acre permitted by the current General Plan to four (4) units per gross acre; would have increased the density in the Canyon Lodge area from twelve (12) units per gross acre permitted by the current General Plan to forty-eight (48) units per units per gross acre; it would have allowed for residential development in the Institutional Public Designation at four (4) units per gross acre; expanded the industrial designation; and increased density of the Specific Plan Designation from 3,020 rooms and 135,000 square feet of commercial permitted under the current General Plan to 3,720 rooms and 185,000 square feet of commercial.

The modified updated General Plan that will be addressed in the revised draft EIR would retain the low density residential land use for the Old Mammoth area at two (2) units per gross acre that is allowed by the current General Plan; it

would the remove the High Density Residential 3 land use designation proposed by the Plan addressed in the previously circulated draft EIR; it would reduce density in the High Density Residential 1 and 2 land use designation from 12 to 10 units per acre; maintain the existing density in the Commercial 1 and 2 land use designations; and restrict housing development in the Institutional/Public land use designation to a greater degree than in the Plan addressed in the previously circulated draft EIR. In addition, revisions to the density transfer policy are under consideration.

Overall, the revised project would allow for a lesser number of dwelling units than the previously proposed project. The anticipated population at build-out under the current General Plan is 61,375. The anticipated population at build-out from the version of the General Plan that was analyzed in the previously circulated draft EIR is 71,200. The anticipated population at build-out from the revised draft General Plan is now 60,700, which is approximately the same as the current General Plan. The changes from the previously circulated version of the EIR and the impacts on overall population are summarized in the chart below:

Population Projections	
Existing Population (Estimated as of 2003)	34,269
Existing General Plan	61,375
Version of General Plan that was the Project and labeled as the "Project Action Alternative" in the Previously Circulated EIR	71,200
Newly Revised and Current Proposed General Plan (the Project)	60,700

Project Location

Town of Mammoth Lakes, Mono County, California

Potential Environmental Effects

Aesthetics, Air Quality, Biological Resources, Cultural Resources, Economics/Jobs, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Population/Housing, Public Services, Recreation, Transportation/Traffic, Utilities and Service Systems, Growth Inducing, and Cumulative Impacts.

September 14, 2005

Ms. Sonja Porter
Senior Planner
Town of Mammoth Lakes
P.O. Box 1609
Mammoth Lakes, CA 93546

Dear Ms. Porter:

Thank you for sending us your Notice of Preparation for a revised Draft Program Environmental Impact Report (DPEIR) for the project, Mammoth Lakes General Plan Update (GPU), State Clearinghouse Number 2003042155. We are glad that the Town has chosen to prepare a revision to the previously circulated DPEIR, dated February 2005, due to agency and public comments, modifications to the project, and additional clarifying information. This is the course of action we recommended in our comment letter on the February DPEIR. Unfortunately, since the GPU is still lingering in the Planning Commission with what we believe are substantive issues still under discussion, it is difficult to comment in great specificity on the scope of the DPEIR in preparation. However, we would like to request that comprehensive studies and analysis be done in the following areas based on the brief project description given in your notice and what we perceive to be the deficiencies in the original DPEIR.

We believe that the new DPEIR must address the comments and issues raised in the original comments. Almost all of the comments are pertinent, since most of the original DPEIR failed to address the range of variables in the alternate projects described in the first draft. We have attached a copy of our original comment letter and would like each point within it to be considered part of our official response to your Notice of Preparation. Based on detailed interactions with both Town staff and various Town decision makers, after the original comments on the February DPEIR were made, we would like the new draft to include several changes in scope and emphasis discussed below.

The population projection given for the current General Plan in the Notice of Preparation is highly misleading. The projected population in the current General Plan is 48,000. The Town has chosen to recalculate this number based on variables like new State required density bonuses for affordable housing. This new calculated number is over 25% greater than the one in the current General Plan. An increase is an increase regardless of where it comes from, and it is disingenuous to suppose that just because it is mandated or that the population ground rules have changed, there are no new environmental impacts. In order to provide the decision makers with a meaningful range of options, we feel the Town should include as one of the Project alternatives a plan with a projected population of 45,000. This is the value that has been consistently suggested by the Advocates for Mammoth as a upper limit to the population for which the environmental impacts can be reasonably mitigated. This value would also be close to that anticipated in the current General Plan. We reviewed the acceptable population, particularly in terms of recreation accessibility for both residents and visitors and the number of recreationists that will come to Mammoth Lakes. The analysis must consider the current General Plan contained 12,000 downhill skier capacity that is not included in the GPU while the population increased 12,000 in the GPU. We wonder what this net increase of 24,000 people will do.

Recent discussions with Town staff, the new Town Developer Impact Fee studies and adopted schedules, and the Transient Occupancy Tax income assumptions in the recent Town budget, make it clear that the Town is anticipating almost all of the growth that is projected over the 20 year span of the GPU will occur in the first five years. In fact much of it is being cast in concrete as the GPU is analyzed and debated. To have a meaningful DPEIR, the planned accelerated pace of development followed by an almost complete moratorium on additional growth in the Project must be analyzed. The rapid pace of development is sure to have negative impacts on the environment, as is a sudden stop to almost all development sure to have severe social and economic impacts. The severely ramped development proposed by the Town must be compared to a uniform pace of development spread over 20 years.

The original DPEIR did little to analyze the impacts of the various segments that make up the Town peak projected population. It is unreasonable to assume that a resort visitor will have the same impacts as full-time residents, or that second homeowners will have the same impact as those occupying affordable housing. In fact, the major evaluations all seem to revolve around a value that the Town specifies as People At One Time (PAOT). However, the Town admits that it has little real data on the current PAOT, and has suggested that the most reliable number is based on waste water usage. If we are going to depend on this sewage data, it should be presented and analyzed in the DPEIR. Preferably, each of the major components of our population must be considered in the analysis:

- full time residents and their guests
- second homeowners and their guests
- seasonal workers including the construction crews for the massive proposed projects
- in town resort visitors (inside urban growth boundary)
- residents and visitors outside the UGB but within the Town boundaries (MMSA Main Lodge, Forest Service cabins, campgrounds etc.)
- residents and visitors within the Town planning area

Each of these categories can be reasonably expected to have greatly different demands on Town services and result in different impacts. The revised DPEIR must break down components of PAOT for each of the Project alternatives, and then analyze the total environmental impacts resulting from the sum of the individual impacts on such factors as traffic, transportation, housing, water supply, etc. It is interesting that the original GPU and DPEIR spend most of their effort on resort visitors essentially ignoring both full time residents and the second homeowners.

Although our original comment letter had detailed comments on the water availability section, this is such an important topic in the Eastern Sierra that we would like to expand and reiterate what we think should be included in the revised DPEIR.

1. A comprehensive analysis of the water availability, based on proven resources that are technically feasible and politically accessible (e.g. do not include Dry Creek).

2. An evaluation of the aquifer's practical limits including the effects of well interactions, long term conditions and trends in the aquifer, and the potential rights and plans of other users of the aquifer.
3. An evaluation of the surface water availability, including a discussion of any conflicting or competing water rights and the need to preserve the quantity and quality of stream flows to support healthy stream ecology and aquatic life.
4. A risk and uncertainty analysis of how close we are to severe problems in terms of public welfare and safety including, but not limited to, a well failure, extended power failure, and natural disasters such as volcanism, forest fire, or earthquake. The analysis must include how much safety margin or reserve capacity is required.
5. A detailed analysis of the requirements that takes into account the various population segments as defined above. We understand that the MCWD and the Town use a model that is very insensitive to population, particularly visitor population. This model and the justifying data must be presented as part of the DPEIR.
6. A detailed analysis of drought, which is referred to as multiple dry years in the original DPEIR. The longest interval of dry years mentioned in the original evaluation is three years. A casual evaluation of the records shows the average drought or span of dry years is about seven years. The detailed data to which the Town and MCWD have access, must be analyzed to determine a conservative "design drought," and a drought of this magnitude should be used in the water availability analysis. The analysis must also include the latest accepted data on the impacts of global warming on water supply and length of droughts.

The revised DPEIR must include a comprehensive traffic analysis, and a much clearer evaluation of the proposed mitigations. Additional mitigations must be proposed and analyzed wherever the Level Of Service exceeds the acceptable criteria established by the Town (LOS D). Many new very large projects are in the works for the Village, locally increasing density beyond that previously envisioned, and their impacts need careful analysis. In particular, the impacts of large numbers of pedestrians trying to cross a state highway that is running at 93% capacity need to be fully described, along with evaluation of mitigations such as underpasses and overpasses.

Removal of the traffic signal at Main and Minaret and replacement with a roundabout should be analyzed as one of the mitigations. The economic impact of severe traffic congestion should be quantified. Also, the congestion caused by retaining a single grocery store with an increased PAOT should be clearly identified.

The 2005 LSC study of parking in Mammoth shows that using the Town's parking requirements, which LSC says is the reasonable standard, we are currently short 1,000 spaces, and with the proposed development will need an additional 2,600. The DPEIR must examine the impact of this shortage of parking spaces on traffic congestion, now and in the future. It should also examine the effectiveness of proposed mitigations. For example, proposed parking structures at the tennis courts will require skiers to cross both Forest Trail and Minaret, in ski boots, carrying skis and poles.

The Town of Mammoth Lakes includes within its boundaries Mammoth Mountain, its base lodge areas, much of the Lakes Basin and the Sherwins, the Mammoth Yosemite airport, geothermal development projects both proposed and ongoing, an RV park, and numerous campgrounds, as well as forest areas in between. Please include these areas in the analysis because it is clear they have the potential to produce major environmental impacts. This analysis must include, but not be limited to, air and water quality, waste disposal, water supply, traffic (including diesel buses and plows), noise, fire risk, and all other factors mandated by CEQA.

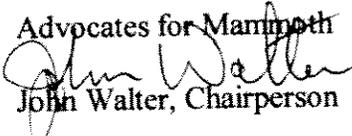
The airport is within the Town limits. The airport also includes a development agreement that allows significant development at or adjacent to the airport. The original GPU was almost mute on the airport even though it has been touted as a key part of the Town's future. The SSEIR prepared for the airport does not provide a detailed analysis of the impacts of the predicted levels of air travel or the residential and commercial development allowed by the Development Agreement on the overall Town environment. These factors affecting the Town's environment must be analyzed and the analysis and conclusions included in the appropriate sections of the new DPEIR. This analysis must include impacts on air quality, water supply, traffic, housing, emergency planning, noise, and any other factors mandated by CEQA.

This letter highlights what we feel are some of the major factors, evaluations, and analyses that must be included in the new DPEIR. We refer you to our attached comment letter on the February DPEIR for a more complete listing of our detailed concerns on the technical content of the DPEIR. Some of our major concerns revolve around the lack of detailed analysis and hard data in the original document. We trust this will be rectified in the revision. Since the GPU seems to be in such a state of flux, we hope that either the DPEIR await a complete project description or that the analysis is broad enough to substantively cover all the considered project alternatives so that it does not have to be redone again.

The Certified Letter containing your notice appeared in our P. O. Box sometime in late August with the signature card, if one was required, removed. The letter was postmarked August 16, and allowing one day for delivery, which would be a world record for Mammoth Lakes, we are assuming that "30 days after receipt of this notice," will be September 17, and have geared our response to that date. We do not recall seeing any public notice of this Notice of Preparation and assume that other members of the public, particularly those that commented on the original DPEIR, are also being given a chance to comment on the scooping of the document under preparation.

Please contact John Walter, at 760 934 1767, or Walter@qnet.com, directly with any questions about, or clarifications on, the above comments. Should you not be able to reach Mr. Walter, please contact Jo Bacon, 760 934 4932, jbacon22@verizon.net, or the address on the above letterhead. We look forward to reviewing the new DPEIR and working with you on these important issues.

Sincerely:

Advocates for Mammoth

John Walter, Chairperson

Enclosure: Letter of May 17, 2005; Advocates for Mammoth to Planning Commission, Town of Mammoth Lakes.

May 17, 2005

Planning Commission
Town of Mammoth Lakes
P.O. Box 1609
Mammoth Lakes, CA 93546

Dear Commissioners:

Thank you for the opportunity to comment on the Draft Program Environmental Impact Report. We have completed a detailed analysis of the document and appendices. Unfortunately, we don't believe the document meets the requirements of CEQA for the following reasons:

(1) The DPEIR does not describe the same project as the Draft General Plan Update. The project description is therefore not accurate as required by CEQA. The state court of appeals has declared that an accurate, stable, finite project description is an essential element of an informative and legally sufficient EIR under CEQA. (14 CCR 15124)

(2) CEQA requires that impact analysis be based on substantial evidence (14 CCR 15384). We notice that in many places the claimed effectiveness of proposed mitigations is not supported by any evidence. The same analysis that concluded the mitigation is necessary must be repeated to show that the proposed mitigation is effective.

(3) There is no detailed data available to determine how the Base Population number in Table 2.1.1 Proposed Project and Alternatives was calculated. This has made review of the DPEIR difficult, as a full analysis cannot be made without all available data.

In addition, we have concerns with the overall environmental sustainability of Mammoth Lakes based on the impacts of increased population and traffic, particularly with respect to air quality and water quality and the adequacy of water supply.

Also, since major recreation areas including MMSA, the Lakes Basin, Tamarack Cross Country area, and many miles of snowmobile and cross country ski trails are included in the Town boundaries and Planning area, we feel it is essential to analyze the effects of the proposed substantial increases in permanent residents and visitors on these limited recreation resources and that potential mitigations be proposed.

For these reasons and the detailed failings of the document listed in the following section, we request that the document be withdrawn and redone based on current studies and data and on whichever version of the General Plan update is approved by the Planning Commission.

Further, each required element requires an analysis of all four proposed alternatives. There is no substantive evidence that this has been done. Please provide analysis of the thirteen elements that shows the mitigations will be effective for each population level. This is particularly important since the currently favored approach in the current draft GPU has a much lower population at build out than the action alternative in the DPEIR. We feel the action alternative has far too many environmental impacts to be acceptable; however the DPEIR analysis of the various scenarios does not give either the public or the decision makers adequate analysis or data to select the proper actions to take.

We have also researched the document and have found the following specific items which need further analysis and review, by element. Comments are both general to the element, and also related to specific thresholds for the element. For clarification, we have identified the page number for each threshold, since no numbering system was devised for the thresholds:

Aesthetics, Light & Glare:

1. **Inconsistent with Draft General Plan Update** – the Aesthetics Chapter of the General Plan includes the following policies and implementation measures which are not addressed or analyzed in the DPEIR analysis:
 - area parking districts
 - exceptions to height limitations
 - entry statement for the Town – intersection of Hwy 203/Main Street and Old Mammoth Road
 - development of Old Mammoth Road commercial area/definition of the Old Mammoth Commercial Corridor
 - narrower roads in Old Mammoth
 - narrowing roadways for traffic calming
2. **Threshold (on page 4-10): Substantial adverse effect on a scenic vista** – various zoning regulations are the only mitigations listed, without proof that any of these policies would result in less degradation of light pollution. For example, a view corridor study is championed as the way to reduce the impact, without any evidence of requirements, guidelines, etc. that have been analyzed to reach this conclusion. No substantial evidence is provided that the listed mitigations will be effective. Please supply a quantitative analysis.
3. **Threshold (4-11): Substantially damage scenic resources within a state scenic highway** – again, various zoning regulations are the only mitigations listed, without proof that any of these policies would result in compliance with the California State regulations for scenic highways. No substantial evidence is provided that the listed mitigations will be effective. Please supply a quantitative analysis.
4. **Threshold (4-13): Substantially degrade the existing visual character or quality** – “Loss of some scenic views and resources, and changes to the visual character of

Mammoth Lakes are associated with the plan implementation." Provide analysis of the degree of impact based on each of the four plan options. No substantial evidence is provided that the listed mitigations will be effective. Please supply a quantitative analysis.

5. **Threshold (4-14): New source of substantial light or glare which would adversely affect day or nighttime views.** "Significant and unavoidable adverse impacts on night sky visibility" is not adequately mitigated by the Town Lighting Ordinance which fails to address the issue of glare from multiple fixtures which meet the low wattage requirement, but have a cumulative effect of light pollution. Show quantitative proof of the efficacy of this implementation measure.

Air Quality

This analysis is not adequately based on existing conditions and does not consistently provide substantial evidence as required by CEQA.

1. **Inconsistent Results** – It is implied that wood stoves and road dust are the main sources of PM10 emissions, but Table 4.2.4 shows that traffic dominates by a large margin. Please rewrite and consistently compare all sources of emission for all alternatives.
2. **Use of an Obsolete Model** – The 1990 model and AQMP is obsolete, so that extrapolation and mitigation analysis is invalid, not based on existing conditions. As stated in Appendix C, this analysis is based on a 15-year-old model validated during drought years in which snowfall and ski visitation was below normal. Many changes have occurred since (details in Reference 1, comments from Owen Malloy, attached). Therefore, the analysis and extrapolation is not based on existing conditions or a currently validated model.
3. **Reliance on Mitigations Proved Ineffective** – While it is claimed that the mitigations in the 1990 AQMP will work even with more than double the PAOT, the PM10 and Ozone emissions are exceeded already. Clearly the listed mitigations do not work, and cannot reduce increased emissions. The Project Action Alternative will not comply with state or federal standards.
4. **No Analysis of Mitigations** – There is no quantitative verifiable analysis of the efficacy of the mitigations. There is no way to verify the numbers presented. Therefore, there is no substantial evidence of the numbers in the Tables in the section and Appendix C. Please supply a verifiable and quantitative analysis.
5. **No Details of Measurement Methods** – A more complete description of the measurement system is needed. Where is the monitoring station, and is it located so as to measure worst-case conditions? What are the calibration accuracies and stabilities? (See Reference 1 for additional detail).

6. **Vehicle Type Used in Analysis** – there is now a substantial difference in the type of automobile used by visitors and permanent residents, namely low-mileage SUVs and trucks instead of small cars. The analysis should also include the snow removal and snow hauling equipment, the increasing number of diesel busses and the extensive use of construction equipment required for the extensive growth planned. Please update the modeling used to reflect the types of vehicles now in use.
7. **Threshold (4-22): Conflict with or Obstruction of Applicable Air Quality Plan** – The Town's plan is to increase traffic, not to reduce it. This DPEIR expects an increase in vehicle traffic. Mitigation based on a reduction in traffic is inconsistent. Please evaluate the emissions using the traffic predicted for peak winter holiday visitation, not "typical" winter Saturday. Please provide substantial evidence that there is any mitigation that can reduce emission to meet standards.
8. **Threshold (4-23): Violate any air quality standard or contribute substantially to an existing or projected air quality violation** – the assertion that tailpipe emissions are not significant is not backed up by substantial evidence. As noted above, the 1990 Ono model is 15 years old and was validated during a severe drought with reduce visitation and snow clearance.
9. **Threshold (4-25): Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)** – Ozone is not discussed in detail, although ozone emission standards are exceeded. Please provide an analysis of ozone emissions. Tables 4.2.2 and 4.2.4 are inconsistent. Table 4.2.2 implies that only stoves and road dust contribute to PM10 emission. Table 4.2.4 shows that vehicle emissions dominate.

No substantial evidence is provided that the listed mitigations will be effective. Please supply a quantitative analysis.
10. **Threshold (4-28): Expose sensitive receptors to substantial pollutant concentrations** – PM10 and ozone emissions can cause acute respiratory distress. This issue is not treated. Emissions of these pollutants already exceed standards. Please quantify the risk.

No substantial evidence is provided that the listed mitigations will be effective. Please supply a quantitative analysis.
11. **Threshold (4-29): Create objectionable odors affecting a substantial number of people** – there is no quantitative analysis of the actual impact. Is there a significant impact or not? Particular attention should be paid to odors from diesel vehicles operating up steep grades at 8000 ft or higher.

No substantial evidence is provided that the listed mitigations will be effective. Please supply a quantitative analysis.

Biological Resources

1. **Impact on wildlife of unrestricted fencing (gated communities)** is not analyzed. Please provide substantive analysis.
2. **Invasive species and noxious weeds should be considered in the analysis and appropriate mitigation measures identified.** We are surrounded by National Forest lands that require extensive mitigations on almost any project to address these specific issues (see the EA on the Motocross as an example). Provide data and an substantive analysis.
3. **Threshold (4-56): Substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFG or the USFWS.** Analysis of a specific plan must be identified in 4.3.c. for this to be considered as mitigation.
4. **Threshold (4-58): Substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the CDFG or the USFWS.** Provide specific measurements used in determining that 4.3.f. ensures mitigation and that limits chosen are supported by scientific research.
5. **Threshold (4-60): Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.** Statement on deer populations is incorrect. The Mammoth Pass herd route below Mammoth Rock to Mammoth Pass is impacted by the old and new proposed Snowcreek development and the Bluffs development which are within the town boundary. Provide a detailed analysis using the correct herd route.

Analyze and include findings from the DPEIR for the original proposal of the Sherwin Ridge Ski Area regarding impact on deer migration in the area.

Future of the wetlands at the base of Sherwin Ridge must also be addressed and analyzed.

Further, statements regarding potential for mountain lion attacks are based on 1991 outdated study. Provide recent study and analysis.
6. **Threshold (4-61): Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.** Provide details on the analysis of corridor setbacks and vegetation removal.

Geology, Soils & Geotechnical Hazards

1. **Current conditions** – the discussion of the Long Valley Caldera and other geologic features contains incorrect dates regarding Devil's Postpile, and incorrect assessment of the composition of Mammoth Rock, and Crystal Crag. These features are described as geologically "young", but the recent activities since the 1980s are not identified, and therefore presumed to have been neglected. Please update with current information.
2. **Obsolete Study Used for Analysis** – the Sieh study 1984 quotations/references are obsolete. Please include USGS research and formal position as of 2005.
3. **Volcanism** – Mammoth Pass magma emplacing long period earthquake activity and CO₂ and He₃ gas emissions at Horseshoe Lake must be included. An eruption of basaltic magma in this area is a possibility in the near future, and should be included. Fire hazard, ash fall, and/or pyroclastic flow from an eruption somewhere along the Inyo-Mono crater chain is not included and should be analyzed.

Also, it is vital to include recent gas emission measurements at Mammoth Mountain – 300 tons per day (USGS 2004).

4. **Seismic Hazards** – This section does not include Hilton Creek Fault which must be specifically mentioned in DPEIR because of its large displacement potential. No substantial evidence is provided that the listed mitigations will be effective. Please supply a quantitative analysis.
5. **Threshold (4-79): Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:** a) Rupture of a known earthquake fault, as delineated on the most recent Alquist Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. Refer to Division of Mines and Geology Special Publication 42. b) Strong seismic ground shaking. c) Seismic related ground failure, including liquefaction. d) Landslides – No analysis for volcanic eruptions, including impacts from major ash accumulations, fire due to pyroclastic eruptions, or continuous long period earthquakes with possible fire and lava flow from basaltic eruption in Mammoth Pass area has been noted in this threshold. Please include substantive information.

Also, the referenced Evacuation Plan has not been analyzed the effects of volcanic eruptions.

Public Safety & Hazards

1. **Use of Mammoth Creek Park** – the Flood Hazard section is not consistent with the mitigation in Biological Resources 4.3.m and Hydrology 4.6.jj and 4.6tt states "All properties held by the Town along the Mammoth Creek Corridor shall be managed for open space, habitat preservation, and passive recreation."

Re-designation of Mammoth Creek Park to IP in Recreation 4.11.h "Proposed modifications to Mammoth Creek Park shall be subject to compliance with requirements of CEQA, including the obligation to avoid or minimize environmental impacts to the maximum extent feasible." is also not consistent.

The Flood Hazard noted should require passive recreation. Please re-designate this parcel's land use designation and analyze the two conflicting sections of the DPEIR.

2. **Structural Fire Hazards** – No analysis is made of structural fire hazards even though the DPEIR states "the development characteristics (narrow roadways, closely spaced dwellings and businesses, and lack of escape routes) ...uncertainty of water supply, transient visitor use, severe winter weather, and seasonal road conditions that restrict access" are mentioned throughout the DPEIR. Please supply a quantitative analysis.

Further, provide a traffic analysis which includes estimates of fire department response times as a function of traffic levels at worst-case holiday traffic peaks.

3. **Threshold (4-100): Routine transport, use or disposal of hazardous materials** – no specifics are provided on locations in which hazardous materials would be disposed, although land use patterns in the DPEIR would facilitate increased development of light industrial and commercial uses of hazardous materials. No data provided on current levels of transport in order to determine actual impact. Please identify current and proposed disposal sites, and if appropriate, amend the Public Services and Utilities section if such disposal would be at the Benton Crossing landfill. Or, if the materials are transported out of the area, please identify the transportation corridor and effect on Transportation and Circulation.

4. **Threshold (4-101): Release of hazardous materials into the environment** – no analysis shown of appropriate sites for businesses in areas removed from and down gradient of sensitive land uses.

No analysis included of the proposed expansion of industrial park as noted in the land use section and public hearings. Also, No data is provided on current sites within Town limits or planning area. Finally, there is only a listing provided for two prior incidents without an analysis of whether Town response in those incidents was adequate.

5. **Threshold (4-102): Emit/handle hazardous materials within 1/4 mile of existing or proposed school** – no analysis provided to determine the effect of the proximity of Mammoth Elementary School or Cero Coso Community College to either the current Industrial Park or proposed expansion. No substantial evidence is provided that the listed mitigations will be effective. Please supply a quantitative analysis.
6. **Threshold (4-104): Impair implementation of or physically interfere with an adopted emergency response plan or emergency evaluation plan** – No data

provided to indicate any analysis of the capacity of evacuation routes based on increased population. Please supply a quantitative analysis.

Hydrology & Water Quality

1. **Ground water** – no detailed study has been made of the aquifers (details in Reference 2 – letter from K. D. Jung) and how they will be developed is needed. Current well production data analysis indicates that the Mammoth Basin “Deep” aquifer has been over-drafted by the eight supply wells. The probability of obtaining Dry Creek water is thought to be so remote that it should not be considered a viable source for planning purposes. Please supply a quantitative analysis.
2. **Water Supply** – no analysis is included of the risk factor in the estimates of water supply by applying some factor to estimates. The Mammoth Basin has the only aquifer (deep or fractured basalt) that can be considered for supplying additional water and it is thought to be over-drafted at this time. Please supply a quantitative analysis.
3. **Inconsistencies with Appendix D Water Study** – The DPEIR references the Mammoth Community Water District Urban Water Management Plan of 2000, but that plan is identified in Appendix D as insufficient, and references a required SB 610 water assessment. There are several areas of the water study that need additional information/comments:

There is no indication that MCWD has approved this water assessment, rather it is stated that information regarding existing and planned sources of water available is taken from the current urban water management plan. This is not in conformance with state Water Code.

The appendices D and E referenced in the water study have not been included.

Tables determining Past, Current and Projected Water Use in the water study are inconsistent with the four alternative Plan alternatives in the DPEIR. Instead this documents uses the titles Draft General Plan Alternatives 1 through 4, which cannot be cross-referenced. Please provide consistent terminology so that the data can be fully analyzed.

Page 4-121 appears to include water supply sources for which there is no demonstrated proof of contracts or entitlements or federal/state/local permits for construction, all of which required by Water Code section 10910.

The water study makes no mention of the regulatory oversight of the Lahontan Regional Water Quality Control Board in the discussion of recycled water. Based on page 4-121 of the DPEIR, jurisdiction resides with this board. Please show proof of authority to presume the use of recycled water as an additional supply source. .

Further, the water study mentions installation of a recycled water pipeline from the wastewater facility site to the Sierra Star golf course without providing data on the impacts of such an installation.

Finally, the water study references future water supply reliability including Lake Mary Plant Improvements but does not reference these improvements anywhere in the document. Please provide additional details for analysis.

4. **Subsidence** – Possible subsidence in the Mammoth Basin well field should be addressed. Please include a quantitative analysis.
5. **Threshold (4-188): Violation of any water quality standards or waste discharge requirements** – no analysis has been included of the effect of inhabiting these structures after construction completed. Please supply a qualitative analysis.
6. **Threshold (4-120): Exceed sufficient water supplies available to serve the Project from existing entitlements and resources, and/or result in a substantial depletion of ground water supplies or a substantial interference with ground water recharge such that there would be a net deficit in aquifer volume or a lowering of the local ground water table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)** – Please provide data to show how and when these demands would be identified and proposed phasing methodology. We recommend that a 20-year drought be included in the analysis. The studies quoted seem to only consider a 3 year drought where Mammoth's average drought seems to last up to 7 years. Please analyze the available data and use an appropriate drought duration value in the analysis.
7. **Threshold (4-122): Result in a substantial alteration of the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site** – Specific analysis of appropriate protection on Mammoth Creek has not been included. Please supply a quantitative analysis.
8. **Threshold (4-123): Substantial alteration that would result in flooding** – Specific analysis of appropriate protection on Mammoth Creek has not been included. Please supply a quantitative analysis.
9. **Threshold (4-124): The Project would result in construction of new storm water drainage facilities or expansion of existing facilities, the construction of which would cause significant environmental effects.** This impact remains potentially significant since upgrades in the drainage system will be implemented. Only stating that the environmental impacts of drainage system improvements will need to be evaluated on a case by case basis is not sufficient. Please supply a quantitative analysis.

Land Use Planning

1. **Inconsistent with Draft General Plan** – Figure 2.1.1 – Land Use Map for Project Action Alternative includes a HDR3 category that does not appear in the DPEIR definitions or in the General Plan update. Therefore any analysis of population based on this option is suspect, and must be re-analyzed with the correct information.
2. **National Forest Land** – the National Forest Land discussion in section 4.7.2 does not include analysis of the impacts exploration and operations proposed within existing Geothermal Leases or Recreational leases. No analysis is provided of USNF recreation facilities and/or future plans such as campgrounds, trails, roads, OSV and OHV use. Visual, noise, air pollution, physical interference with trails and roads both winter and summer are conflicts that have not been analyzed.

The impacts of the Forest Service residences located on Highway 203 at the entrance to town are not mentioned. Effects of these additional residents need to be evaluated.

Both the Mill City Tract land exchange and Mammoth Mountain Main Lodge base area need to be included in the evaluation of all four plan alternatives. The effect on the Urban Growth Boundary must be discussed and analyzed.

Also, please include analysis of the current status of USFS land exchanges, verified and documented in writing. Include the projected fate of the RV Park and the strip of land east of RV Park and south of Hwy 203.

Finally, campgrounds within town limits must also be included in the land use analysis.

3. **Airport Land Use Plan** – the DPEIR mentions that a development agreement is in place, but the effects of this land use on town population, housing requirements, traffic, etc. are not analyzed.
4. **Threshold (4-142): Physically divide established communities or create potential for land use incompatibility** – The final sentence in first paragraph contradicts itself by stating “The Project Action Alternative does not propose any developments that would physically divide an established community but there is potential for future development to divide established communities. It seems clear that the proposed extensive resort developments at the Village will physically divide the established residential communities of the Slopes and the Knolls. Effects of isolating neighborhoods by implementing resort/transit nodes must be addressed and analyzed.

Also, proposed narrowing of roads is inconsistent with the analysis of traffic volume increases, such as at the intersection of Meridian and Minaret. Please supply a quantitative analysis.

Mitigation 4.7.h is inconsistent, as it refers to a "downtown", with no definition or reference to where this term is used elsewhere in the Land Use Plan.

Also, 4.7.n references required studies without an emphasis on how winter conditions would affect bicycle routes, pedestrian trails and/or public transportation.

5. **Inconsistent with other sections of DPEIR** – Mitigation 4.7.r bases restrictions on a 25% slope which is inconsistent with 4.6.t in the Hydrology section which references slopes of 30%.

6. **Threshold (4-144): Conflict with any applicable land use plan** – all potential types of development outside of the UGB should be specifically identified in order to determine impacts. This should include the effect of town expansion on the National Forest plans with regarding to recreational opportunities, geothermal leases, etc.

A Point by point comparison between Mono County General Plan and proposed plan should be presented. There is no evidence that the referenced comparison was performed to a meaningful level.

Please supply a quantitative analysis of these issues.

Noise:

1. **Current ambient noise studies are outdated.** Studies from 1999/2000 and 1981 are inadequate. Therefore, the analysis and extrapolation is not based on existing conditions or a currently validated model.
2. **Inconsistent with Draft General Plan** – the Noise and Land Use compatibility Table on page 4-149 Land Use Categories are not consistent with the Draft General Plan Land Use Designations. Please provide additional detail cross-referencing the two sets of definitions.
3. **Aircraft Noise** – There is no discussion of aircraft noise as both approaches or departures from the airport consistently include a flight path over town. Provide analysis of current and future noise levels from this source.
4. **Summer Peak PAOT** – There is no reference to summer high traffic periods (weekends, festival dates, and major holidays) and their impact on noise. Please supply a quantitative analysis.
5. **Recreational noise** – no analysis has been made regarding high noise recreational vehicle use (i.e. snowmobiles or motocross bikes) in town or in adjoining areas. Please supply a quantitative analysis.
6. **Threshold (4-155): Substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.** Discouraging new projects or activities that would have the potential to elevate ambient noise levels is not sufficient mitigation. Concerns regarding increased levels from special events and recreations must be substantiated. Please provide realistic mitigation measures.

7. **Threshold (4-155, second listed): Substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project** – no analysis has been provided of the noise of idling engines for vehicles caught in traffic congestion due to increased population/traffic. Please supply a quantitative analysis.

There is also no discussion of heavy trucks going up grade to deliver goods and the resulting higher engine noise levels, or analysis of increased use of buses or expanded use of buses at night. There is also no discussion of the noise impact of trucking snow out of town.

Also, please provide analysis on limiting the amount or type of additional outdoor concerts or festivals that might be encouraged for additional visitors and the cumulative effect of such noise.

Population, Housing & Employment:

1. **Inconsistency with General Plan** – there is no analysis of the regional fair share requirements, which are current state law. This information is included in the General Plan update, which makes the DPEIR inconsistent.

Further, the Draft General Plan Housing Chapter refers to an increasing number of Southern California residents desiring to retire in a town like Mammoth Lakes, but there is no analysis within this section of the DPEIR to recognize this growing segment and its effect on the community.

2. **Average peak population** – assumptions are made about average peak population without data or a good methodology. Provide data and a quantitative analysis to support the population levels listed in the DPEIR.

3. **Affordable Housing Statistics Inconsistencies** – data provided in the Affordable Housing Supply discussion does not match the General Plan Housing Element.

Further there is no analysis of how many units are actually needed. Please supply a quantitative analysis of the true need.

The DPEIR states that employment figures are derived from 2000 Census, but percentages do not match the table provided in the Housing Element. Please amend the figures in the two documents and re-analyze conclusions based on these statistics.

4. **Carrying capacity** – is not adequately analyzed in the DPEIR. Provide data to support the statement that “the region has not reached a carrying capacity with respect to human habitation”.
5. **Threshold (4-164): Would induce substantial population growth in an area, either directly or indirectly** – the mitigation for this conclusion merely states that

the "mitigation referenced in other sections". However a review of these sections listed finds no mention of population within the respective mitigation measures. Provide the specific mitigations intended in this statement and a quantitative analysis.

Public Services & Utilities

1. **Hospital Services** – the DPEIR states that the Hospital emergency room is considered adequate without providing substantiating data. The population figures stated for the adequacy of the Hospital services are not consistent with those used elsewhere in the DPEIR. Please provide and analyze consistent population statistics and ratios of inpatient, outpatient and emergency rooms beds for the projected population levels.
2. **Sewage Collection Systems** – actual data to support the capacity of the Sewage Collection Systems is not available for analysis. Please provide the detailed data on which these statements were made.
3. **Solid Waste** – there is no data available to analyze the statement that projected needs covered for next 20 years based on 25% population increase (40% increase in visitors). Again, the population figures stated for this area are not consistent with those used elsewhere in the DPEIR.

Further, there is no mention of the potential loss of lease and/or inability to expand the existing Benton Crossing Landfill. Please determine these potential changes and re-analyze.

4. **Threshold (4-177): Averse physical impacts ...in order to maintain acceptable service ratios, response times or other performance objectives for fire, police schools, and other public facilities** – individual sections of this threshold follow:

Police Protection – no basis is provided for the 1:1000 ratio for officers to population, nor is there substantiation that it ratio is appropriate for the Town of Mammoth Lakes. There is also no analysis of how any staffing level will be reached.

Fire Protection – no discussion is included of how volunteers will be used or of the number of volunteers needed under the plan. Further, there is no analysis of how the staffing levels would be reached.

Schools – no data is provided to support the figure of 2,561 single family housing units that would keep enrollment just under the stated capacity. Also, there is no discussion of whether that stated capacity includes an analysis of the number of school age children who would be living in newly developed Affordable/Workforce Housing. Finally, there is no analysis of the traffic impact of the getting students to and from the schools at the stated capacity.

Library – there is no analysis of the effect on traffic for the new facility, in a different location.

Electrical/Geothermal Energy – no data is provided to support the statement that Edison is able to meet current and projected needs.

Roadway Maintenance/Snow Removal – no analysis is provided for the traffic impact for trucking snow out of town.

Please supply a quantitative analysis of each of these public services.

5. **Threshold (4-181): Exceed wastewater treatment requirements** – a mitigation measure stating that the Mammoth Community Water District shall increase the capacity of the treatment facility within the timeframe of the plan build out is not adequate if no timeframe or sanctions are included. No substantial evidence is provided that the listed mitigations will be effective.
6. **Threshold (4-181, second listed): Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities and construction of which could cause significant environmental effects** – again, a mitigation measure stating that the Mammoth Community Water District shall increase the capacity of the treatment facility within the timeframe of the plan build out is not adequate if no timeframe or sanctions are included. No substantial evidence is provided on the environmental effects of the proposed expansions or that the listed mitigations will be effective.
7. **Threshold (4-182): Wastewater treatment inadequate capacity** – again, a mitigation measure stating that the Mammoth Community Water District shall increase the capacity of the treatment facility within the timeframe of the plan build out is not adequate if no timeframe or sanctions are included. No substantial evidence is provided on the environmental effects of the required facility expansion or that the listed mitigations will be effective.
8. **Threshold (4-182, second listed): Construction of a new landfill** – no data on the true capacity or existing facilities lease for the Benton Crossing Landfill is included.
Also, using recycling capabilities as mitigation when the identified recycling bins at Vons have been inaccessible due to snow storage for at least five months of the year is inadequate.

No substantial evidence is provided that the listed mitigations will be effective.
Please supply a quantitative analysis.

Recreation:

1. **Parks Inventory** – the statement is made that 26 acres of existing park areas are owned and operated by the Town. Provide an inventory of existing parks for

analysis. Although mention is made of various acreages, these figures are not supported by data nor shown in any listing or on land use maps included in the DPEIR.

2. **Inconsistency with General Plan** – neighborhood parks are mentioned in the General Plan update policies and implementation measures, but no descriptions or locations for such parks are found in the DPEIR.
3. **Quimby Act/Town Ordinance Acreage Requirement** – the DPEIR contains conflicting references to the Quimby act and uses references to 3 ac/1000 or 5-10 ac/1000 calculations. There is no definition of what population number is used for the calculations, such as permanent population or PAOT. Provide analysis of needed park acreage required for each Plan Alternative.

Also provide analysis of how many people currently use existing parks and how park usage will be affected by increased in permanent population.

Finally, please provide an analysis as to how many people used the Ice Rink over the years it was in service.

4. **Quimby dedication of land and/or payment of fees** – the act requires the dedication of land and/or payment of fees for park or recreational purposes as a condition to the approval of development. Provide an analysis of how this requirement has been fulfilled and how the benefits accrued have been spent or used.
5. **Winter Recreation Capacity** – there is no analysis of the capacity of each of the mentioned facilities/activities in light of increased population and use. The capacity to expand existing activities has not been analyzed, nor whether expansion is feasible. This is particularly critical for downhill skiing the Towns predominant winter attraction because the MMSA is close to capacity during peak periods and the action alternative proposes to more than double the number of visitors.
6. **Summer recreation opportunities** – the activities mentioned (fishing, hiking, mountain biking, golfing, shuttle busses to Red's Meadow, etc. have a limited availability through quotas, fees, permits, etc. Provide an analysis of how many people participate in these activities currently and how these activities will be affected by both an increase in PAOT and in permanent population.
7. **Threshold(4-187): Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, or other performance objectives for parks.** – designation of Mammoth Creek Park as active recreation conflicts with the designation as passive recreation in Biological Resources 4.3.m and Hydrology 4.6.jj and 4.6.pp.

Throughout the Recreation section, and other sections, the mitigation measures include vague wording such as "wide variety and adequate supply" in 4.11.b and "available to the public as appropriate" which do not provide substantive metrics for evaluation of these mitigation measures. No substantial evidence is provided that the listed mitigations will be effective. Please supply a quantitative analysis.

Also, mitigation measure 4.11.o states that all planned major facilities will be listed in the Land Use Element. The listing is not there as of 4/2/2005 for reference or analysis.

And, the 4.11.q wording is not consistent with the General Plan update wording approved by the Planning Commission.

8. Threshold (4-188): Project would increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated -- No substantial evidence is provided that the listed mitigations will be effective. In fact,:

- o no neighborhood parks are indicated in the DPEIR as referenced in 4.11.m
- o no parkland has been acquired as noted in 4.11.p – in fact in this proposed plan we are losing existing parkland
- o 4.11.q wording not consistent with General Plan update wording
- o no data provided for stated research and results in 4.11.t

Please supply a quantitative analysis.

These impacts cannot be "less than significant" when there is increased pressure on parks and recreational facilities due to increased population and development, elimination of future opportunities to provide for parks and recreational facilities in the developing areas and increased impacts on surrounding lands.

Claiming mitigation for this through the increased use of surrounding recreation lands is a totally unsupported as the forest provides entirely different uses than that of parks. For example, uses like soccer, baseball, and barbeques are not activities for the forest, just as hiking, rock climbing, and fishing are not best performed in parks.

9. Threshold (4-190): Require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment – in addition to the notes under #6 and #7 above, this mitigation is called for immediately. The DPEIR states "additional facilities may need to be constructed, potentially at public expense, to provide adequate service levels and to prevent overuse and the resultant physical deterioration of existing facilities." Provide an analysis of how much has been collected in DIF, how this is meeting the needs for parkland, what

adjustments to this policy are planned, and how developers are being held responsible for their proper share of costs.

Transportation & Circulation:

This analysis is not adequately based on existing conditions and does not consistently provide substantial evidence as required by CEQA.

1. **True Peak Traffic** – the traffic analysis does not consider worst-case traffic and how often it may occur, and therefore does not disclose the true impact as CEQA requires. “Average peak traffic on a winter Saturday” is used. The PEAK traffic at the worst times must be quantified, and the impact discussed, with evaluation of proposed mitigation measures. Details in Reference 3 – letter by John H. Cunningham.
2. **Winter Storm Impact** – the effects of snow storms and poor visibility, reduction of road width, presence of heavy, slow snow removal equipment have not been quantified or even included in the traffic analysis.

Analysis of the effect of snow piled on the sides of the road with the proposed road narrowing must be included.

The Town has increased lot coverage and reduced snow storage requirements for new projects, relying on snow removal by large trucks rather than on-site snow storage. These trucks need to run day and night. They along with snow removal plows add to congestion. Please demonstrate that they have been included in the traffic congestion analysis.

3. **Impact of Airport growth** – the Airport, and its potential growth inducing effects, has been ignored. A distorted picture is presented by omitting the airport's impact and just describing the Town's plans. The major issues surrounding the airport plan must be described, and evaluated. Lawsuits are underway contesting the Airport EIR contending that it inadequately addresses the “growth inducing” aspects of the plan. Also the FAA has written the Town describing many concerns i.e. the private development proposed is inappropriate on such restricted land, hangers must be moved to meet clearance requirements, more land is required, etc. These are material matters affecting the town and its traffic, and they must be identified, and their impact described.
4. **Summer Traffic** – summer visitation is now greater than winter visitation. Please show traffic data for summer holidays and/or other appropriate summer peaks.
5. **Incomplete information on Level of Service definitions** – the Level of Service (LOS) definitions must be provided. Most communities plan for a LOS C condition at the worst times. Given the proposed D and E levels, it is imperative to provide traffic data for the other Alternatives.

6. **Pedestrians** – the DPEIR must quantify the effect of pedestrians crossing streets on traffic congestion, and safety. This is already a severe problem at The Village, and a nearly doubling of traffic is being proposed.
7. **Quantifiable Unmet Transit Needs** – the DPEIR must quantify the “unmet transit” needs, propose mitigation, and assess its effectiveness. Will more busses increase congestion, or relieve it? Our winter experience is severe congestion associated with streets narrowed by design, or by snow-piles. Clearly busses discharging passengers greatly increase congestion as well, and this impact is not analyzed.
Please quantify the need for, and benefits, of increased public transit.

8. **Threshold (4-197): Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)** – mitigations should receive the same level of analysis as the primary impact, or there is no substantial evidence that the mitigations work. Great skepticism surrounds the effectiveness of roundabouts during heavy winter storms. Nine are proposed. Please provide data demonstrating the effectiveness of roundabouts, especially during heavy winter storms when the largest traffic jams now occur.

The data show that the one roundabout that is really needed would be at Main & Minaret, but it is not proposed. Why not? What design standards will be imposed? Will traffic from a 2 lane road be funneled into a one lane roundabout? What delays are expected at the traffic signals?

9. **Threshold (4-202): Result in inadequate emergency access** – this is not analyzed, nor is any mitigation proposed. If traffic through the Village is 93% of maximum capacity on a “typical” winter Saturday, will that prevent emergency response on a true peak day while the Village burns down?
Are these routes adequate now, and for the proposed more than doubling growth? In winter when only one lane is plowed? Will these routes be adequate in case of a major earthquake, and/or a major fire? If not just what is the proposed mitigation?

Please quantify this very important problem, and propose suitable mitigation measures.

10. **Threshold (4-203): Inadequate parking capacity** – the effect of inadequate parking throughout town has not been quantified, nor has the benefits of the Town's proposed Transit system. The DPEIR states “congestion ... appears to be correlated with the shortage of accessible private and public parking” No further discussion is provided. It is necessary to quantify how much additional parking is required now, and for the alternatives. Please show the results of analysis that quantifies the benefit of providing additional parking lots, parking garages, etc.

Also quantify the benefit of added bus service. The DPEIR says that "traffic will increase 88%, even assuming 115% increase in bus rider-ship", and leaves it at that. Please quantify how existing parking will be impacted, and what mitigation is proposed.

Provide analysis to show how increased parking will mitigate the traffic problems. Since the newest projects have demonstrably inadequate parking, please review the adequacy of the town's existing ordinance regarding parking requirements for new projects. The DPEIR document simply says the Town should make developers provide adequate parking, without specifying what is adequate. It does say the lack of parking contributes to current congestion, but does not quantify this problem.

11. **Threshold (4-204): Conflict with adopted policies, plans, or programs supporting alternative transportation** – if the town is already not meeting the needs, depending on policies rather than quantifiable actions is not mitigation. No substantial evidence is provided that the listed mitigations will be effective.

Further, the needs and benefits of alternative transportation (e.g., bus turnouts, bicycle racks) and additional transit (buses) must be quantified. Will increasing use of buses reduce traffic congestion or add to it?

Cultural Resources:

1. **Inconsistent Terminology** – the use of "paleontology" throughout this section results in confusion, since the term also applies to prehistoric and historical remains which are the main concern in the planning area. Please define the term and clarify with specific examples.
2. **Cemeteries** – it is important to note that under California law two burials constitute a cemetery. This must be considered in analyzing the adequacy of mitigation measures.

The development of the Bluffs apparently "lost" a cemetery. The area near the Bluffs contains historic burials and the entire planning area must be considered to have potential prehistoric burial areas. Please analyze this occurrence and explain how the referenced policy and procedures will prevent a reoccurrence.

3. **Threshold (4-217): Project would cause a substantial adverse change in the significance of a historical resource as defined in §15064.5** – survey methodology needs to be clearly defined in order for this mitigation measure to be deemed adequate.
4. **Threshold (4-219): Project would disturb any human remains, including those interred outside of formal cemeteries** – clarification of the term cemetery in 4.13.m must be stated. The Paiute-Shoshone of this area did not use cemeteries until historic times, and that can lead to confusion.

Chapter 5 – Long Term Implications

The previous sections have outlined our concerns with the analysis of current conditions and mitigations for each identified threshold. We also have significant concerns with all of the items listed as resulting in unavoidable significant environmental impacts.

If this DPEIR is intended to reflect the Vision Statement in the General Plan update, there should not be any element which contains an unavoidable impact.

Comments on specific sections of Chapter 5 are:

Section 5.1 – Natural gas should not be listed, since it is not available in the planning area.

Section 5.2

1. **Air Quality** – conforming to a plan is not conforming to the standards. PM10 and Ozone standards will also be exceeded.
2. **Public Safety** – consider high-rise structure fires exacerbated by traffic jams which would increase fire department response times.
3. **Recreation** – The change in land use designation for Mammoth Creek Park is not supported by the DPEIR.
4. **Open Space** – Current designated acreage is less than the stated requirements. This DPEIR results in even less acreage than required. How can that be considered?
5. **Noise and Air Quality** – these are separate topics, and should be treated separately in a consistent order
 - Noise will increase partly as a result of proposed air traffic.
 - Air Quality statements are misleading. Table 4.2.4 shows that vehicles are by far the main source of particulate emissions, and presumably ozone as well. Increases, not decreases, in traffic are proposed. While the points made about cinders and woodstoves are plausible, regulation of woodstoves is not “strict”. Otherwise, the town would long ago have requirement replacement of all high-emission woodstoves and fireplaces.

Section 5.3

The Hydrology statement is misleading, because it implies that new sources of water are available. This is not proven in the DPEIR.

Cumulative Impacts

5.5.1 Past, Present, and Reasonably Foreseeable Projects - The list is completely misleading and omits all the large developments proposed in the Town. Please include the present projects in Town, including the Village and many other projects in the resort corridor and elsewhere that have a cumulative impact. The list should include, but not be limited to:

- The Village, existing and proposed
- 80/50
- Minaret-Main corner projects
- Any other projects along Minaret
- Tallus
- Sierra Star Homes
- Sierra Star Condos
- Mammoth Green
- Juniper Springs
- Sunstone
- Eagle Lodge development
- Other projects along Meridian (Summit, Aspen Springs, etc.)
- Snowcreek expansion
- Mammoth Mountain's Main Lodge plans
- Items in the draft facilities plan
- Hot Creek developments at the airport

Please describe in detail the cumulative impacts of these projects.

5.5.1 Projects Within the Cumulative Effects Area (Table 5.5.2) -- The Benton Crossing Landfill is to be closed. This is the Town's only solid waster disposal site. There is nothing in this DPEIR about what will be done with increased solid waste. Please describe the solution.

5.5.2 Impacts -- Please provide a complete analysis related to actual projects. The Town has no control over impacts outside the Town limits. Therefore, no mitigations adopted by the Town are irrelevant.

Bighorn Sheep - This discussion is not consistent with the Endangered Species Act. If increased visitation causes impact to the sheep, visitation must be prohibited. By law, no impact is permissible.

Mule Deer - The airport has a major effect on the mule deer migration. Please include an analysis of its effects.

Tui Chub – This section is inconsistent. After explaining that expert opinion is that the evidence that groundwater pumping and surface water is inconclusive, the second paragraph concludes that the "expert opinion" is that there is no connection. This is a direct contradiction. Please resolve the contradictory statements. The USFWS stated in comments on the airport EA that it would be necessary to shut down the airport if any evidence of damage to the tui chub was found. The same goes for groundwater pumping upstream. A correct statement would say that reliance on groundwater pumping to obtain water for the Town carries the risk of a cease-and-desist order under the Endangered Species Act.

Recreation - Please discuss the impacts on skiing at Mammoth and June Mountains, as well as cross-country and backcountry skiing. Please also discuss the impact of snowmobile use. Please provide substantial evidence that significant impacts are mitigable, and describe the mitigation methods in detail. Impacts should include, but not be limited to, impacts on air quality, noise, and biological resources from motorized use, including diesel service vehicles.

This cumulative impact must be evaluated, as MMSA is within both the town boundary and the planning area. Adding between 15,000 and 35,000 additional winter tourists without evaluating the impacts on recreation options for both town residents and visitors is inexcusable. This is an impact that strongly affects the town's way of life and the town economy, so effective mitigations must be spelled out.

Population, Housing, and Employment - This discussion and analysis needs to include all the projects listed both within and outside the planning area, not just the Sierra Business Park.

Again, we appreciate the opportunity to comment on the DPEIR. Should you need clarification of any of the comments provided in this letter, please do not hesitate to contact me at (760) 934-1767.

Sincerely,

John Walter
Chairperson, Advocates for Mammoth

